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OCT 19 1983

PERIODICALS DEPARTMENT

EDITORIAL

PHILIPPINES DÉJÀ VU

The Marcos regime in the Philippines is coming apart at the seams in a way that is reminiscent of the disintegration of other despotic American clients. The logic of disaster has acquired a grim familiarity by now. First, a modernist, development-minded popular leader becomes isolated from his subjects. He refuses to broaden his support, tightening repression and proclaiming himself ruler for life instead. Demonstrations erupt and are crushed. Religious figures intervene. The C.I.A. or the State Department ordains a "moderate" leader as an alternative to the once-favored despot, but the candidate fails (is assassinated, imprisoned, expelled), and revolution looms.

Through it all, the United States government expresses anguished concern about its air bases, listening posts or seaports in the affected country. If the country is "lost," vital U.S. security interests will be endangered. Debate is then directed at American defense strategy, as if refueling capabilities, reaction time and surveillance opportunities were what was at stake.

But the debate is misdirected. The primary purpose of the American military presence in countries such as the Philippines is to preserve the presence itself and to keep the country in clienthood.

The eminent Southeast Asia expert George McT. Kahin wrote last week in *The New York Times* that America's Philippine bases could easily be moved to safer and stabler islands. Such a move would be expensive, but it would produce greater efficiency in the long run. Certainly the State Department and the Pentagon realize the military advantages of a move. But they disagree with the politics of it, for if they remove their presence, they lose control. And the end result of the revolutionary process—independence—they cannot accept.

FACE-SAVING DEPLOYMENT
Christopher Hitchens

THE K.A.L. COVER-UPS
Stephen F. Cohen

ANONYMOUS JURIES
William M. Kunstler

THE PHELPS DODGE STRIKE
Joseph A. Blum

LENORE MARSHALL POETRY PRIZE

THE REAL BILL BUCKLEY
Margo Jefferson

THE ROSENBERG REVIVAL

OF 'ATOM SPIES' AND AMBIGUITIES

VICTOR NAVASKY

A word about the crime and the punishment: Assuming Ronald Radosh and Joyce Milton are right, toward the end of World War II an Army sergeant who was working as a machinist at Los Alamos came home one day and at his brother-in-law's request (and perhaps with his sister's knowledge) drew a picture from memory that had something to do with the atomic superweapon that was secretly in production, and gave it to a man he had never seen before. This man, a confessed perjurer, said he gave it to the vice consul of the Soviet Embassy in New York. The picture didn't tell our Russian allies anything they hadn't already been told in far greater detail by the physicist Klaus Fuchs, but it may have had corroborative value. As punishment, the sergeant was sentenced to fifteen years in prison, the go-between was sentenced to thirty years (as was a classmate of the brother-in-law who was vaguely said to know something about it). The brother-in-law and sister were sentenced to death, and despite worldwide appeals for clemency, on June 19, 1953, they were executed at Sing Sing prison in Ossining, New York.

The interesting question is, How come? What was it in our history, our political culture, our circumstances that led the judge, the higher courts, politicians at every level on up to the President, and the mainstream press to endorse a punishment that today looks not merely disproportionate but vastly worse than the alleged crime itself?

At the time, these "atom spies," as Julius and Ethel Rosenberg were called in the headlines, were said to have "stolen the secret of the atom

(*Continued on Page 375*)

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LETTERS.

DEFENDING 'MAN SLAUGHTER'

New York City

I'm hard pressed to believe that Ann Jones read Steven Englund's *Man Slaughter* ["Murder and Sympathy," *The Nation*, Sept. 17], let alone read it with an open mind. Her opening attack characterizes Englund as a gun for hire who "pocketed a lot of change" to write the story of Jennifer Patri. Jones neglects to mention that Englund shared the $50,000 advance with Patri and her lawyer, and that what was left went to underwrite the three years it took Englund to complete the project.

Jones takes Englund to task for referring to Patri as a defective wife and mother and as a woman with "substantial pieces missing"; but here Englund is drawing from an evaluation of Patri by her own psychiatrist, who saw her as "suffering from a severe characterological disorder" and as "basically schizoid." Jones accuses Englund of hemming and hawing, of being a "dodgy historian" who makes up "facts"—when for the most part he lets Patri do the talking. Surely Jones owes some apology to the dodgy historian for using a quotation to bolster her accusation without bothering to verify that it is in the published version of the book. Englund does not dismiss, as Jones says he does, the possibility that Bob Patri, the victim, molested his daughter. He readily concedes it.

Far from convincing us that Englund has an ax to grind, Jones reveals herself as incapable of believing that a woman might be anything but heroic for fending off any attack, real or imaginary, by her husband. She chooses not to understand that Jennifer Patri might have been more oppressed by the conditions of her life than by the man in it; that it might better serve the cause if such a reductive answer were not the only one acceptable. To label a writer a closet misogynist because he tries to see beyond facile answers is an ad hominem attack that demeans the issue. To make bedfellows of all wife-killers and pit their treatment against that of the few women who do manage to get a day in court is to compound the error and obfuscate what most needs illumination.

Judith Braun

JONES'S 'COLORING' CONTEXT

New York City

As an acquaintance of Steven Englund, I found the views and motives attributed to him in Ann Jones's review of his book pretty hard to credit. Jones's evidence consists almost entirely of words and phrases snipped from Englund's text—and given their unpleasant coloration by her interpretation.

There was one exception to this pattern that did, however, impress me: Jones's quotation of the book's first sentences as an example of Englund's willingness to play fast with the facts, sentences which Jones says "betray" the reality behind Englund's effort "to appear circumspect and fair-minded."

Imagine my surprise, then, when I opened a copy of *Man Slaughter* and discovered that those sentences were not there. What had struck me as the best prop for her case had vanished. Since Jones, despite her obvious animus toward Englund's work, would not have made up such sentences out of whole cloth, I can only conclude that the writer or publisher deleted them some time after reviewers' galleys were sent out. Why? They were not libelous. Maybe Ann Jones can supply a sufficiently damaging explanation, but I can't help suspecting that *Man Slaughter*, whatever its faults, is a far more scrupulous effort—even "circumspect and fair-minded"—than her harsh review allows.

Peter Steinfels
Executive Editor, Commonweal

JONES REPLIES

New York City

I worked, as is customary, from bound galleys provided by the publisher. If the sentences I quoted as one example of a made-up "fact" were deleted before publication by a careful editor or perhaps by Steven Englund himself, the book is better for it.

Homicide is never heroic. And it is always, as Englund discovered through his extensive research, far more complex than it appears. Yet he attacks Jennifer Patri in terms no psychiatrist would use in clinical diagnosis; and when it suits his purpose, he finds her psychiatrists wrong—for example, when they argue that her mental state at the time of the killing mitigates her guilt, or when they find that Englund himself bears an "unconscious hostility" toward Patri.

Englund dismisses the child molesting incident not by saying it didn't happen but by claiming (as Bob Patri did) that it was merely an "affectionate physical display." In a similar vein, he calls marital rape "forced sex" and finds it justified in this case because Jennifer was "frigid" and Bob had "needs."

What is so disturbing, then, about Englund's book is not his conclusion that Jennifer Patri deliberately murdered her husband (which may be true) but his explanation of that event in terms of sexist stereotypes: the misunderstood husband, the nagging bitch wife, even the gold-hearted whore. These clichés have an "unpleasant coloration" all their own. And in any case they are inadequate to the task of understanding human deeds.

Ann Jones

THE U.N.: KEEP IT HERE

New York City

"Et tu, Brute?"

The Nation lends aid and comfort to the likes of Charles Lichenstein, Jeane Kirkpatrick et al. when it urges—even with tongue in cheek—that the United Nations be moved to the Third World, "a place that's warm in the winter and cool in the summer, with unlimited parking for limousines with DPL plates" ["Wanted: U.N. Site, Rv. Vw.," Oct. 8].

The Nation surely knows that it would be impossible to transfer the operations of this 158-nation organization to any other place. Let's face it. The United Nations is in New York City and is needed here now more than ever. Let's strengthen it and encourage all diplomats to come and renew a dialogue, not only in public speeches but in those famed corridors.

The United Nations is not perfect, but it can be improved. It is the only thing of its kind this world has or will have in our time to prevent a nuclear holocaust.

New York City is the heart of the free world and has a free press (with all the faults of the free world and the free press). Let's work on the press, too, and help it better inform more people about the United Nations' good work: the wars that have been prevented or stopped (e.g., Cyprus); the more than 600 soldiers on loan from more than sixty nations who have died in the field under the U.N. banner; the work of its thousands of dedicated international civil servants who fight disease, starvation and racism in South Africa, Namibia and elsewhere.

Albert Ornstein

MOVE IT TO JERUSALEM

Washington

The Nation's October 8 editorial suggesting a Third World site for the United Nations reminds me of one solution to a key problem in the Middle East: the status of Jerusalem. In 1956 or thereabouts, the U.S. Department of State considered and regretfully rejected a proposal to establish a U.N. presence in Jerusalem as a means of emphasizing the international character of that city and in accord with the 1947 U.N. vote to make it international.

Why not move the entire United Nations to Jerusalem, making it the captive of all three major monotheistic religions, as well as making their adherents responsible (as they are anyway) for solving their quarrels peacefully? The move would be more effective than a freeze on nuclear weapons, and there might be wide acceptance of such a solution to the problem of who rules there. Jerusalem could be a sort of universal Vatican City for peace.

Eugene Bird

CHEERS FOR THOMPSON

South Norwalk, Conn.

Cheers for E.P. Thompson's brilliant article "On Peace, Power and Parochialism" [*The Nation*, Sept. 24], a seminal contribution to the debate over the most pressing issue facing our peace forces: How can we improve the effectiveness of our response to the threat of the arms race and nuclear holocaust?

Frank Donner

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EDITORIALS.

Falling Idols

There was fresh evidence last week that President Reagan's hegemony over American attitudes and affairs is crumbling. James Watt's forced resignation did more than disgrace one crass Cabinet Secretary; it discredited the Administration's rapacious land-misuse policies. Then, the Civil Rights Commission's new attack on Reagan's enforcement efforts, coupled with the (Republican) Senate's stubborn refusal to confirm his nominees for that panel, showed there was serious resistance to Reaganism's approach to race. Finally, the arrival of China's Foreign Minister on a friendly visit to Washington was a measure of how far the President has strayed from his convictions in the heyday of Beijing-baiting.

Certainly the President remains in firm political control—more than his glib Democratic opponents like to admit. But his ideological hold is slipping. The New Right is out of fashion in the media and out of earshot of the White House; Reagan has given up even the appearance of enthusiasm for the right-wing "social issues" that dominated his rhetoric during the first half of his term. In foreign affairs, the President is despised as a "pragmatist" by his once ardent supporters, such as *New York Times* columnist William Safire, who accuses him of being soft on Communism. In tone and substance, Reaganism seems to have been reborn as old-fashioned corporate conservatism, practiced—and per-

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fected—by Republicans and not a few Democrats in years gone by.

What happened? From the start, Reaganism was based on false assumptions and flawed strategies. It is simply not true that Reagan's electoral total represented a popular mandate for reaction, the triumph of a new national will to dismantle the structures of social progress and to rush headlong into war. Nor was it possible that the New Right rhetoric and ideological positions Reagan adopted in the first flush of victory could have led to policies that would work in the political sphere. Watt's giveaways outraged some of Reagan's fastest friends in the West and in the Sun Belt. The Administration's malignant neglect of civil rights and welfare gave rise to an upsurge of black and minority protest—and widened the gender gap. The cold war offensive has frightened everyone from West Berlin to West Covina.

There is a somewhat whimsical theory that makes the rounds about this time in each Administration that a President's political term—as opposed to his electoral one—runs from one half of the quadrennium to the next; that is, from two years before an inauguration to two years after it. Thus, the Reagan years began in 1978, when Jimmy Carter fired up the cold war and cut back on social programs. In the same way, Reagan's first political term ended last year, perhaps when he drove out Alexander Haig as Secretary of State and accepted a permanent, massive budget deficit. If that's the case, we are well into the Presidency of 1982 to 1986. Can we yet call it the Glenn or Mondale years? Or perhaps just Reagan II?

Labor & Mondale

At first glance, the A.F.L.-C.I.O.'s October 5 endorsement of Walter Mondale's Presidential candidacy looks like an aggressive attempt by union leaders to inject new labor militancy into Democratic politics as the electoral season begins. A few overheated unionists have even speculated that such an early move could ultimately lead big labor out of the Democratic Party and into a new progressive movement. But appearances here miss the point: labor's endorsement is a defensive tactic, intended to stymie militant action rather than advance it.

The federation is adept at finding harmless outlets for its members' militancy. On Solidarity Day in September 1981, it organized noisy demonstrations throughout the country to protest the ravages of Reaganomics on the rank and file. A quarter of a million people attended the centerpiece rally in Washington. But that was only one day, and virtually no follow-up steps were taken to widen the demonstration's impact.

There were no serious attempts to build coalitions with nonlabor groups. There were no efforts to organize the unemployed. And independent initiatives, even overtly sympathetic ones, were discouraged. One community group that was organizing a Solidarity Day event was usurped by the state A.F.L.-C.I.O.

Nor have unions made the material commitments needed to reverse their declining membership. Even counting the 1.2 million "new" members gained when the United Automobile Workers rejoined the federation in June 1981, the A.F.L.-C.I.O. has lost more than a million members since 1980. Despite gains in a few unions, and despite the federation's generally promising efforts in its campaign to organize Houston's work force, the present level of organizing activity cannot halt that decline.

Even more important and revealing is the A.F.L.-C.I.O.'s failure to address those issues that concern most working Americans. In the real world of the 1980s, increased social spending will come only at the expense of military spending. But while the federation is on record against budget cuts for social spending and has established a committee to study national defense expenditures, A.F.L.-C.I.O. president Lane Kirkland continues to be the cold war's Abominable Snowman. The recommendations of the Scowcroft Commission have shaped the federation's positions on strategic weapons: it supports the MX missile and the Trident 2, and opposes a nuclear freeze. Although the federation recently shifted its position on El Salvador, calling at its last convention for a negotiated settlement to end that country's civil war, it continues to parrot the Reagan Administration's line on Nicaragua, claiming that the Sandinists have betrayed the revolution.

The federation hardly relishes the prospect of a politicized rank and file. At the national level, Kirkland has won measured praise for practicing "consensus rule" as the A.F.L.-C.I.O. central leadership has sought to tighten its control over member unions. The critical issue, however, is who is included in the consensus, and here the federation has been less than radical. For example, it supported the United Steel Workers' old guard against insurgent Ed Sadlowski in a suit whose final resolution by the Supreme Court upheld funding restrictions that make it virtually impossible for dissident union groups to win national union office. Of more immediate importance, the A.F.L.-C.I.O. has enthusiastically joined with officials of the Democratic National Committee to water down the reforms of the McGovern Commission. The rules changes—including a shortening of the primary-caucus season, the abandonment of mandatory proportional representation in the selection of state delegates, the reservation of approximately 14 percent of convention delegate seats for party leaders and elected officials not committed to specific candidates and the abolition of the "faithful delegate" rule, which compelled delegates to vote for the candidate they had pledged to support—give

NEXT WEEK

Daniel Singer on Lech Walesa's Nobel Prize

Mark Green on Why Reagan's Gaffes Matter

J.E. Murray on Post-Oil-Boom Venezuela

Herman Schwartz on Domestic Bugging

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the advantage to early front-runners. Having helped write the new rules, the federation is putting them into effect with its early move to Mondale. Labor is gambling, to be sure, but it is a perfectly logical gamble in a game from which the rowdy rank and file have long since been barred.

Kirkland and other labor leaders have resumed their off-the-record meetings with top business figures in the Labor Management Group, which were discontinued in the late 1970s after Douglas Fraser, then U.A.W. president, announced his resignation from the group in a widely publicized letter accusing American big business of waging "class war." In March 1981, a few months before Solidarity Day, the group began to meet again. At that time, business members included Bechtel's George Shultz, outgoing DuPont chairman Irving Shapiro and the heads of several other large corporations who have overlapping ties through the Business Council, the Business Roundtable and the Committee for Economic Development. Shultz and Shapiro have since been replaced by equally well-connected executives, and Fraser, who last year loudly suspended himself from the Chrysler board to avoid an apparent conflict of interest during the last round of contract negotiations, has quietly rejoined as a labor representative.

The endorsement has prompted a great deal of media coverage about labor's hold on Mondale. *Time* said he was getting too close to "special interests"—employing a standard for labor liberals it never applies to business conservatives. In fact, labor's candidates have a way of dissociating themselves from their "special interests" when they achieve high office. Labor's last major public policy attempt to help itself, the labor law reform bill, foundered after Jimmy Carter, whom it helped place in office, failed to give the measure sufficient support. While Mondale has a longer and better record on social issues than Carter, there are ominous signs that he is already feeling business pressures and responding to them.

Shortly before he received the federation's endorsement, Mondale met in Washington with some 300 prominent business supporters and began to organize a business advisory council, whose chairmen are former Treasury Secretary Michael Blumenthal (now head of Burroughs) and former Fed chairman and Treasury Secretary G. William Miller (who now heads his own investment firm). Although Mondale's campaign organization initially refused to release the text of the speech he gave, an account of the meeting in *The Washington Post* is telling. Central to the A.F.L.-C.I.O.'s plans for reindustrialization are sharply increased tariff protection for noncompetitive industries and elaborate and large-scale bail-out measures for ailing firms. These are themes Mondale sounded repeatedly in the months leading up to his labor endorsement. Now, the *Post* story makes clear, "several of the businessmen present said they were pleased that Mondale laid less emphasis on import controls and on subsidies to older industries than he had in past speeches." Thus the A.F.L.-C.I.O.'s new path may only describe a circle, leading labor back to its own defensive positions.

The Long Shadow

Last week the Supreme Court denied Alger Hiss's request to set aside his 1950 perjury conviction. This week 1,500 people will gather at Town Hall in New York City to hear a debate sponsored by *The Nation* and *The New Republic* on the subject "Were the Rosenbergs Framed?" Why, more than three decades after the fact, do these infamous cold war cases refuse to die?

They are, of course, different in critical ways. Hiss was convicted of perjury, the Rosenbergs of conspiracy to commit espionage. Hiss was vaguely accused of stealing policy-oriented papers from the State Department, the Rosenbergs of stealing the secret of the atomic bomb. Hiss lost his career, the Rosenbergs their lives. But there are fundamental similarities that help account for the continuing interest in, and importance of, these cases.

First, in the overheated atmosphere of the cold war, neither Hiss nor the Rosenbergs received fair trials. Possibilities of fabricated evidence and frame-ups aside, materials made available under the Freedom of Information Act, as well as the independent findings of journalists, lawyers and scholars, suggest that through the use of wiretaps, informers, ex parte communications, break-ins and other extrajudicial methods, the defendants were deprived of their basic rights, in violation of the American promise of justice for all.

Second, the cases have come to symbolize cold war politics. The Hiss case was cynically used by the right to taint a generation of New Deal liberals, and to prove that Communists and their agents had infiltrated the policy-making apparatus of the U.S. government at the highest levels. The Rosenberg case served to reinforce the myth that there *was* a domestic Red menace sufficiently menacing to justify intrusions on fundamental rights and liberties [see Victor Navasky's "Of 'Atom Spies' and Ambiguities," which begins on the cover].

The way the political culture responded to these cases at the time and subsequently has profoundly influenced the lives of liberals and those on the left. The film *Daniel*, from E.L. Doctorow's *The Book of Daniel*, which was inspired by the Rosenberg case, has generated controversy because so many of us are, in a sense, children of these cold war cases.

Thus the debate at Town Hall and the ongoing attempts of scholars and journalists (if not the courts) to set the record straight in the Hiss case are not exercises in nostalgia. For the liberal left, in particular, establishing the facts where they can be known, accepting what cannot be known and focusing on how the political process worked in relation to these cases—how it was used and misused for ideological purposes—may be the prelude to a generation's coming to terms with its own identity.

But debates are adversarial by their nature, and historians lack subpoena power and investigative staffs. Enough is now known about the injustices connected with the Hiss and Rosenberg cases to warrant an official inquiry by a body modeled after the Royal Commissions of Britain.

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MINORITY REPORT.

CHRISTOPHER HITCHENS

Dostoyevsky's Grand Inquisitor posed the question: If you could found a world of perfect justice on the sole condition that you tortured one small child to death, would you or could you submit to that condition and sacrifice the child? A good question, and one which has given much wholesome exercise to moral philosophers. Today's dilemma is less elevating but more urgent: Would you increase the risk of thermonuclear war, which would kill every born and unborn child in both combatant and noncombatant nations, now and forever, in order to save the face and improve the electoral prospects of the Reagan Administration?

In the past few weeks two senior members of that Administration have privately admitted that the proposed deployment of cruise and Pershing missiles in Western Europe is pointless at best. They have also admitted that the arguments for it are logically flawed. The insane decision still stands, however, because to rescind it would damage that fragile and elusive thing "American credibility." For which we must read "Ronald Reagan's image"—not at all the same thing.

One of those confessions was made in my hearing by Richard Perle, Assistant Secretary of Defense. At a private meeting in Washington he said that the new missiles are militarily valueless, and that if he had it to do again he would oppose their deployment. But he said they have to go ahead because they represent an American commitment. The only honorable thing about this statement is its frankness—which has not been matched in public. Its effective content is to make Europe a hostage to Presidential vanity and to a childish understanding of what is meant by "will."

A few days ago, Richard Burt, Assistant Secretary of State for European Affairs, also ruminated on the deployment trap. It is difficult to remember now, but when the missiles were first proposed they were to be deployed on a "two-track" basis. That is, they were contingent on the failure of arms control negotiations in Geneva. An agreement meant no missiles. But what Burt was honest enough to acknowledge is that there is a methodological absurdity at the very core of the bargain. Now that American "will" is staked on deployment, there is a positive, active disincentive to reach an agreement that would cancel it. A real agreement would, in some sense, represent a defeat. The two tracks, which were never parallel, now run directly counter. And, of necessity, the preparations for deployment have assumed their own momentum. Almost everyone involved with the original decision now regrets or repudiates it—the West German Social Democrats most of all. Willy Brandt, whom I saw in Washington recently, is calling urgently for at least a delay in deployment. He says that when the initial proposition was made, Helmut Schmidt and his government were unaware of what they were getting into. Brandt at least is not too bovine to admit a mistake. Yet Perle and Burt have the cool nerve to say that deployment must go ahead because they will look bad otherwise. It is this kind of reasoning that keeps the Administration "on course," and it ought to be more famous than it is.

* * *

The greatest curse of reform politics is lesser-evilism. It's considered obvious by Democratic wise guys that the candidate most likely to win is the best candidate, and once he is nominated all criticism is secondary, if not downright disloyal. The thing is to win; politics is not for sentimental idealists; if you can't stand the heat get out of the kitchen, etc. ad nauseam. The trouble with this argument, aside from its baboonlike intellectual level, is that it isn't as "realistic" as it sounds, and often leads to hopeless loser candidates like Humphrey and Carter. It also has a way of getting debased with use. Each succeeding lesser evil is lesser and more evil than the last. We have reached the logical terminus of this process when it is suggested—as it is now by John Glenn—that you can beat Reagan only by, in some significant way, *being* Reagan. Why should such a candidacy be expected to attract the famous "middle ground"? If you give the electors a choice between an authentic Reagan and a pseudo-Reagan, why should they not pick the genuine article?

The importance of George McGovern's candidacy is that, even if it is a failure in "realistic" terms, it still may shame the other candidates into a more affirmative—and even political—discourse. There is evidence that this has happened already. On October 8, at a Democratic fund-raising dinner in Des Moines, McGovern was picked to speak first, and after listening to his reception, Walter Mondale, who was billed last, had to abandon his prepared script and speak more like a Democrat. McGovern, whose team had bought no tickets for the dinner, picked up just under 100 straws without trying. Three of the six contenders have asked for his endorsement instead of his rivalry, but he is not running just for fun and is encouraged by the anti-mush effect of his very modest effort so far.

When I met him last week, it was for the first time. It seems to me that he obviously ought to be President. Alone of the Democratic candidates, he wants to reduce rather than increase the military budget and the rate of development of new weaponry. He is the only one who does not want, even a bit, to use American troops in support of the Phalange in Lebanon or the Central American right. In a late reply to Mayor Koch's questionnaire, he has become the only respondent to oppose Israeli colonization of the occupied territories. That is important not so much for its own sake as for the proof it affords that McGovern is not a coward.

I am sure McGovern can get by without my endorsement, and he's already beaten the joke candidacy smear. Perhaps there is a sense that the voters owe him one. I felt bound to ask about his Vice Presidential strategy (he favors a female rather than a black running mate), and was relieved when he said, without smiling, that "if lightning strikes and I get that nomination, no choice will be made with greater care." A break with the politics of the lesser evil at this stage could mean we would get a candidate who isn't one.

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SOVIETICUS.

STEPHEN F. COHEN

Ever since the cold war began in 1917, unexpected and mysterious incidents have periodically disrupted East-West relations just as they were improving. Some have been small intrigues, such as the forged "Zinoviev letter," which caused a break in British-Soviet diplomatic ties in 1924. Others have been large human tragedies, such as the destruction of Korean Air Lines Flight 007 and its 269 passengers by a Soviet fighter plane on September 1, which has undermined recent improvements in American-Soviet relations.

The cold war has witnessed other such incidents, each still partly unexplained. In May 1960, for example, a summit meeting between President Dwight Eisenhower and Soviet leader Nikita Khrushchev was abruptly canceled after an American U-2 spy plane was shot down over Sverdlovsk. And in August 1979, Senate ratification of the SALT II treaty was fatally delayed by the "discovery" of a small Soviet brigade in Cuba, which had probably been there since 1962.

The historical lesson—leaving aside the occasional role played by anti-détente intriguers on both sides—is that impassioned cold war conclusions reached and acted upon immediately after such events, before the mystery unfolds, always turn out to be wrong. Thus, the K.A.L. incident quickly produced dangerous political accusations and consequences in Washington and in Moscow. But we still do not know the full circumstances or causes of that tragedy. Neither the official American version nor the official Soviet version is fully believable. Indeed, both governments are engaging in cover-ups, including the withholding of much fuller recordings of the sequence of events than the eleven-minute transcript of Soviet transmissions released by the United States.

What is the American government concealing? Most news reports have focused on the South Korean airliner. Why was it more than 300 miles off course and over strategically important Soviet territory for two and a half hours? Was it there accidentally, as Washington claims; in conjunction with a spy mission, as Moscow charges; or to save fuel, as other reports suggest? The question is important but insufficient: not even proof of a spy mission explains or justifies an attack on a commercial airliner.

A more important question is rarely asked: How many American aircraft were in or near that Soviet airspace during the hours preceding the tragedy? The Reagan Administration belatedly admitted the presence of one RC-135 spy plane, but said it stayed well outside Soviet airspace and left long before the attack. Skepticism is warranted here, given the long history of American overflights and the fact that one RC-135 mission is to test Soviet air defense on alert. Moreover, U.S. officials concede that RC-135s "routinely" fly in the area twenty times a month. But a Soviet missile test had been scheduled for the night of the incident. Did several RC-135s therefore move into the general vicinity during a several-hour period, as one source reports?

The Reagan Administration insists that it is blameless because Soviet air defense could not possibly have confused the Korean 747 jumbo jet with a smaller RC-135. But the most plausible explanation of what happened is that it did, especially if several RC-135s were involved. Everything we know about the Soviet air-defense operation that night indicates ineptitude and confusion. Even Washington admits that Soviet controllers or pilots initially identified the intruder as an RC-135. Other sources report that this identification recurs on the unreleased recordings. The evidence suggests that Soviet military authorities thought they were ordering an attack on an RC-135, not a 747 jumbo jet on an illicit mission, as they now claim. If so, the United States contributed to the confusion and thus to the tragedy. Indeed, an RC-135 in the area may even have overheard Flight 007's plight and failed to warn it.

Ironically, the Soviet Union seems to be covering up the same explanation, even though it would diminish Soviet responsibility for the tragedy. Until Marshal Nikolai Ogarkov, chief of the general staff, laid down the definitive official version at a press conference on September 9, several Soviet statements implied that Flight 007 had been mistaken for an RC-135. Ogarkov emphatically rejected that explanation, insisting that the Soviet defense system had operated flawlessly and that the attack on Flight 007 "was not done by mistake." Instead, he rested the entire Soviet case on spy charges against the commercial airliner, a callous justification that politically damaged the Soviet Union abroad even more. In short, Soviet authorities, or at least the military, chose to appear evil rather than incompetent.

That bizarre cover-up, designed by the military to preserve its image of infallibility, reflects a major conflict between Soviet political and military leaders. The K.A.L. incident was an enormous blow to Yuri Andropov's leadership. It undermined his "peace campaign" to keep American missiles out of Europe, stalled the economic reforms he announced in July and damaged his personal authority. That was evident in two unprecedented developments. The Soviet military, not the Politburo, took charge of public relations about the incident, as dramatized by Ogarkov's extraordinary press conference. (Soon after, Andropov's men began circulating indirect complaints about the military's "inaccuracies.") Meanwhile, Andropov disappeared, making his first public comment on the incident twenty-seven days later, when he finally endorsed the military's cover-up. Moreover, his statement indicated that the entire affair had undercut his argument, against Soviet hard-liners, that better relations with the Reagan Administration were still possible. Such "illusions," he lamented, had been "dispelled."

If the cover-ups in Moscow and Washington persist, Flight 007 will remain another mystery in cold war history. But one lesson is clear. The tragedy has shattered the myth of infallible military-technological safeguards that is so essential to anti-arms-control lobbies on both sides. After all, if Soviet radar cannot tell a jumbo jet from an RC-135 in two and a half hours, will it be able to distinguish between a Pershing missile launched from West Germany and a large errant seagull in six minutes?

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ARTICLES.

NEW PROSECUTION WEAPON

The Threat of Anonymous Juries

WILLIAM M. KUNSTLER

The recent state and Federal trials of various defendants in what is popularly known as the "Brink's Case" dramatized the use of anonymous juries. Federal Judge Kevin T. Duffy, who presided in the five-month trial of six defendants in a U.S. District Court, promptly granted a motion by the prosecutor to keep the jurors' names secret from counsel and the public and to have them escorted by Federal marshals from the courthouse each day. The government claimed that the move was necessary to insure the jurors' safety and privacy. David S. Ritter, the judge in the state trial, granted a similar request.

The results were somewhat mixed from the prosecution's point of view. The anonymous jury in the state trial in Goshen, New York, convicted the three defendants of the murder of a Brink's guard and two police officers; its counterpart in the Federal trial in Manhattan acquitted two defendants and convicted four others, but threw out the most serious charges against them. The use of this prosecutorial weapon in both cases has serious and pernicious constitutional implications for the criminal justice system.

The anonymous jury, which in my view violates every tenet of the Fifth and Sixth Amendments to the Constitution, is of extremely recent vintage. It was first used in the 1977 drug prosecution of Leroy (Nicky) Barnes in Manhattan's Federal District Court. Ostensibly intended to protect the safety and privacy of jurors and their families, it is, in reality, a prosecutorial device to increase the likelihood of conviction by giving jurors the impression that a defendant is so beyond the pale that their very lives would be in danger if their identities were made public. Small wonder that, following the Federal jury's rejection of most of the government's case against the six Brink's defendants because of its unbelievability, Judge Duffy expressed surprise, commenting, "I have never understood juries."

The use of an anonymous jury in the Barnes trial was challenged on appeal. But his counsel did not raise solid constitutional arguments, and the verdict was sustained by a 2-to-1 vote of the U.S. Court of Appeals. However, the dissenting judge, former Connecticut Governor Thomas J. Meskill, wrote, "I am troubled by the implications of today's decision and the uses to which it may be put." Quoting Supreme Court Justice William O. Douglas, he said, "Cases of notorious criminals—like cases of small miserable ones—are apt to make bad law . . . [T]he harm in the given case may seem excusable. But the practices generated by the precedent have far-reaching consequences that are harmful and injurious beyond measurement."

Writing in the *Fordham Law Review*, Prof. Abraham Abramovsky put the case against anonymous juries more sharply:

> In effect, by his instruction with respect to anonymity, the trial judge implied that the defendants were so vicious and dangerous that anonymity was required to protect the jurors and their families from harassment, physical injury or even death. In any prior jury service, the jurors would not have been instructed to remain anonymous. Therefore the only reasonable inference that a jury could draw . . . was that protection was mandated by the character of the defendant. It would have been ludicrous for a juror to conclude that he was being protected from members of the United States Attorney's office, their investigators, or from the judge himself. Thus, before any evidence was introduced . . . the defendants were depicted, by implication, as notorious individuals. This characterization, without any proof . . . of any conspiracy to tamper with the jury, let alone any actual attempts to do so, eviscerated the presumption of innocence to which these defendants were entitled.

The use of anonymous juries is increasing. In an upcoming Federal drug case in Manhattan in which Barnes will be a government witness, the prosecution requested an anonymous jury and added the stipulation that its members "should be kept together during recesses and taken to lunch each day by the United States Marshal's Service; and . . . at the end of each trial day . . . taken together [by marshals] from the Courthouse to an undisclosed central location from which they can leave for their respective communities." The judge granted the request and further ordered that the jury be sequestered. In a contempt trial of alleged members of the Puerto Rican liberation group F.A.L.N. in Brooklyn's Federal District Court, a similar jury was empaneled. Several months later, in a trial of supposed supporters of the group, the jury was not anonymous. Significantly, the jury in the first trial returned guilty verdicts, while the jury in the second trial was hung.

To my knowledge, during the more than 200 years of this Republic's existence, no juror has ever been harmed by a defendant or his or her supporters, even in prosecutions of alleged members of Murder Inc. and of notorious criminals like Al Capone and Anthony Provenzano, to name but a few cases involving dangerous defendants. As Professor Abramovsky points out, the use of anonymous juries in highly publicized cases deals a "devastating blow to the presumption of innocence before a scintilla of evidence was introduced against the defendant at trial." In addition, it so restricts the voir dire as to render the examination of prospective jurors virtually meaningless, and it makes it difficult for lawyers to challenge them intelligently. For example, lacking names and addresses, lawyers are unable to investigate prospective jurors' backgrounds or even ascertain ethnic affiliations. In the words of Sir Thomas More in Robert Bolt's play *A Man for All Seasons*, juror anonymity means cutting "a great road through the law to get after the Devil." □

William M. Kunstler is vice president and volunteer staff attorney of the Center for Constitutional Rights.

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THE MAN IN SOLITARY

Who's Afraid of Habeas Corpus?

AMY SINGER

For two years, James Dean Walker has been isolated in a small cell at the Pine Bluff Diagnostic Unit in Arkansas, waiting for the judges of the U.S. Court of Appeals for the Eighth Circuit to rule on his petition for habeas corpus. He has chosen to live in solitary confinement because he fears he will be killed if he lives among the other inmates. On August 11, ruling on a separate petition Walker had filed, a three-judge panel of the appellate court agreed that his life is in danger in the Arkansas prison system and ordered him transferred to another state. The State of Arkansas appealed that decision, so Walker remains in solitary.

Walker filed his habeas corpus appeal in December 1981, and his lawyers speculate that the reason for the delay is that the Eighth Circuit judges, who are sitting en banc, are split. Some of them would grant Walker's plea, they theorize, but others are opposed to ordering a new trial for a prisoner who has been tried twice already and who has filed numerous appeals. A recent wave of complaints by judges and prosecutors that "jailhouse lawyers" are clogging the court system with habeas corpus appeals has made Federal judges cautious about granting them. On July 6, the Supreme Court echoed the concern about alleged abuse of habeas corpus with its ruling in *Barefoot v. Estelle*. Holding that expediting such appeals in the Federal courts in death penalty cases did not violate a prisoner's constitutional rights, Justice Byron R. White said, "Federal courts are not forums in which to relitigate state trials." This month the Court refused to consider another condemned man's petition for habeas corpus because it raised no new questions, although it later agreed to hear his second petition, which raises an issue on which the Court has never ruled.

Walker was convicted in 1964 of killing an Arkansas policeman in a melee that began when two officers tried to arrest him following a barroom brawl. One of the officers was shot through the heart and died immediately. Walker, shot five times, was found lying semiconscious, holding a loaded revolver that had not been fired. Police claimed that another pistol, with all its rounds fired, had been discovered underneath Walker.

At his first trial, the jury took twelve minutes to find Walker guilty, and recommended that he be sentenced to death. After the trial, when three ministers requested permission to take Walker to church to be baptized, the judge refused, saying—as the ministers have sworn under oath—"I am going to burn the S.O.B." Walker appealed the first verdict and won a new trial, but the same judge presided. The prosecution changed its theory of how the murder occurred, destroyed evidence and intimidated defense witnesses. Again Walker was found guilty; this time the jury recommended life imprisonment.

In his request for a third trial, Walker claims that his conviction was obtained through the use of false testimony, that relevant evidence was withheld from the defense, that he was entitled to a change of venue and that the judge was prejudiced.

For the first twelve years of his life sentence Walker was a model prisoner, raising funds for a new chapel and giving talks at schools, churches and civic groups. In 1971, the Arkansas Jaycees named him Outstanding Young Man. But every time he went before the parole board, hundreds of police officers showed up to demonstrate against his release, and his requests were always turned down. In 1975, A.L. Lockhart, the warden of the prison in which he was housed, became enraged when Walker, who was working in the slaughterhouse, refused to give some meat to Lockhart's inmate houseboy. Although Walker was following the prison's rules to the letter, Lockhart threatened to bury him "in that field out there," adding, "The next time you fuck up, you'll be brought to me in a sack." With little hope for parole, and convinced that Lockhart would have him killed, Walker did not return from his next furlough. Instead, he bought a bus ticket to Tahoe, California, where he lived for four and a half years and worked as a cobbler.

In December 1979, he was picked up on a minor drug charge, and police discovered his identity after he was fingerprinted. A controversy arose over Arkansas's demand that he be extradited [see editorial, "Into the Fire," *The Na-*

DRAWINGS BY MARSHALL ARISMAN

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tion, March 7, 1981]. Walker's lawyers argued in motions filed with Federal and state courts in California that returning him to his former prison was tantamount to a death sentence and would violate his human rights. (In 1974 the U.S. Court of Appeals for the Eighth Circuit ruled that conditions in Arkansas's prisons were so bad that they constituted cruel and unusual punishment.) Rallies were held in California, and movie and television stars like Shirley MacLaine and Mike Farrell of *M*A*S*H* spoke in Walker's behalf. A dozen prison experts, including former Arkansas prison superintendent Thomas O. Murton, whose experiences were the basis for the film *Brubaker*, sent affidavits to Governor Jerry Brown saying that it would be wrong to return Walker to the archaic and brutal Arkansas prison system, which the Federal court called "a dark and evil world." Brown could have denied extradition, but he wanted the support of Arkansas Governor William Clinton and of California's powerful law-enforcement officers' lobby in his bid for the Democratic Presidential nomination. In 1981 Walker was returned to Arkansas, chained to a police officer.

In its August 11 decision, the three-judge panel of the Eighth Circuit court held that Walker deserves "the same privileges and obligations as other prisoners, but without facing undue risks and fears for his safety." It is not known where Walker will be transferred. The state delayed the move by filing a motion demanding that his request be considered by the full nine-judge court, but the motion was denied. The state then asked the court to stay its ruling while it petitioned the Supreme Court to hear the case.

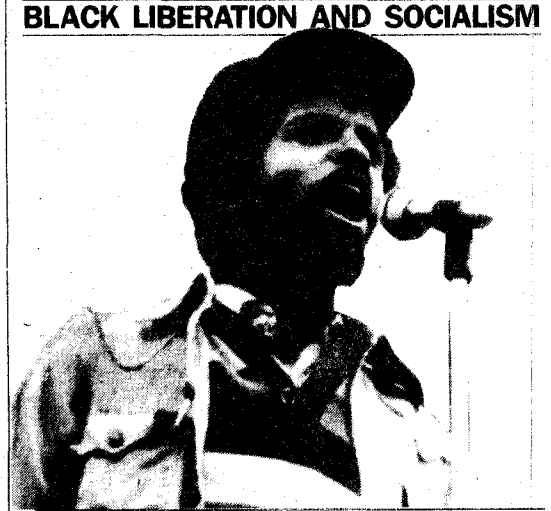
That would seem to be a vindictive attempt by the state to save face at the expense of a man who has courageously fought for his civil rights. There is no indication when the judges will respond to Walker's habeas corpus request, but it would be unfortunate if they decide—for fear of opening a floodgate of appeals from other inmates—that he is not entitled to a new trial. They should not reject his appeal simply because there are too many others like it before the courts. □

PHIL THOMPSON

SPEAKING ON

JESSE JACKSON '84

BLACK LIBERATION AND SOCIALISM



Nov. 6	Oakland, CA	(415) 632-1989
Nov. 12	Los Angeles, CA	(213) 748-7741
Nov. 19	New York City	(212) 789-0737
Nov. 20	Greensboro, NC	(919) 273-1592
Dec. 3	Detroit, MI	(313) 834-9636
Dec. 10	Atlanta, GA	(404) 622-5097

COMMUNIST WORKERS PARTY

THE PHELPS DODGE STRIKE

Unionism Divided Against Itself

JOSEPH A. BLUM

When the Phelps Dodge Corporation, the nation's largest independent copper producer, temporarily shut down its huge mine, mill and smelter in Morenci, Arizona, in April 1982, Greenlee County's unemployment rate soared above 65 percent, the highest in the country. By then, George Mungia, an electrician at the second largest copper mine in the United States, had been laid off for more than six months. Although the facility reopened in October 1982, it was not until early July that Phelps Dodge offered him his job back, with all the overtime he could handle. Mungia was invited back to help break the strike of more than 2,200 workers at P.D. facilities in Arizona, nearly 1,500 of whom are at Morenci.

Mungia has become a scab. His brother-in-law, a strong union man, walks the picket line that Mungia crosses daily. His father, who was two months shy of retirement when the strike began on July 1, was initially torn between returning to work to assure his pension and staying out so as not to scab on the union that won that benefit for him. He too now crosses the line. Mungia's sister is dating a local cop, who is helping other police officers from throughout the state protect workers like Mungia and his father from angry strikers.

Whatever its outcome, nothing like this strike has been seen here since the great labor struggles of the 1930s, and it will leave a legacy of hatred that will last for years to come, not only in Morenci but in the Arizona towns of Ajo, Douglas, Bisbee and Safford, where Phelps Dodge also has facilities.

Strikes are common in the copper industry. Since 1959 Phelps Dodge workers have gone on strike every three years after contract negotiations have broken off. The strikes, especially those over working conditions, have been bitter and hard fought, but they have always been followed by a period of labor peace. In the past, P.D. refrained from producing copper when workers were on strike. It made

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repairs on its facilities with outside construction workers and hoped the curtailed production would push up the market price. Occasional respites from the hard labor of copper mining and processing were accepted, if not welcomed, by union members. Their "continuing agreement" with P.D. guaranteed that their jobs would be waiting for them when a dispute was settled.

But 1983 has been different. The deep recession, not only in the copper industry but in the economy as a whole, coupled with an antilabor Administration in the White House, has weakened the workers' bargaining position. Negotiations in April between most copper companies, led by Kennecott, the nation's leading producer, and thirteen unions representing copper workers, led by the United Steel Workers of America (U.S.W.A.), resulted in a three-year contract which froze wages but retained cost of living allowances and other benefits.

Of the large producers, only Phelps Dodge refused to go along with the settlement. Analysts disagree on why P.D. broke with the rest of the industry and chose to confront the unions. By way of explanation, the corporation cites falling demand for copper and foreign competition, and says it must slash labor costs to remain competitive. Last year P.D. lost more than $74 million as copper prices plunged to 66 cents a pound from an average of $1 a pound. The company claims the wage and benefit plan it offered its workers will save $51 million over the next three years.

Despite the heavy losses it suffered last year, P.D. has earned more than $550 million over the past decade and is responsible for at least some of that "foreign" competition by virtue of its mining interests in Peru, Australia and South Africa. Moreover, P.D. spends less to produce its copper than any other domestic producer, and according to its 1982 annual report it is "in the lower half of the free world cost spectrum." The company's continuing competitiveness, even in a depressed market, is shown by the profits it earned during the first six months of this year: $13.5 million in primary metals (mostly copper) and $7.3 million in manufacturing (finished copper products).

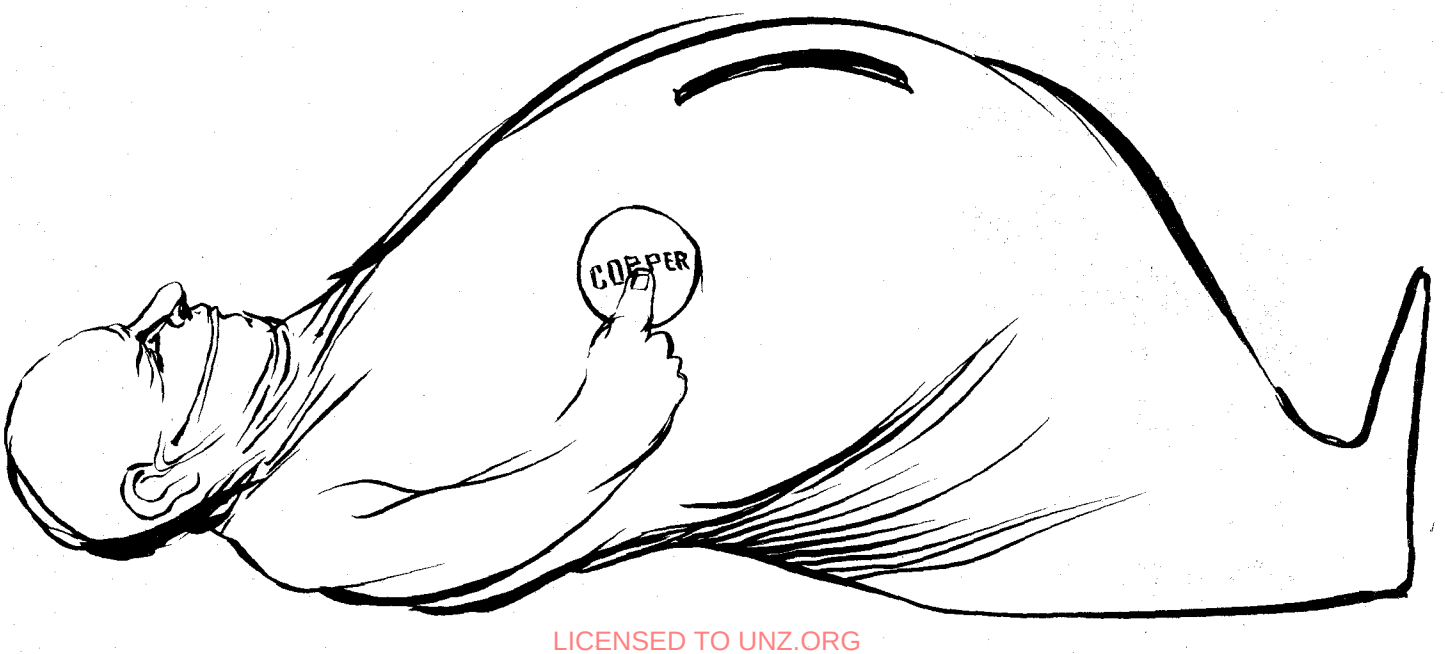
P.D.'s real problem is its failure to diversify, which led to losses of more than $23 million over the same six-month period. The company lumps those losses together in a category headed "corporate and other." Some were undoubtedly a result of the high interest rates P.D. is paying on its debts and its bloated payroll for administrative and sales personnel.

Other substantial P.D. losses stem from the problems of its wholly owned subsidiary Western Nuclear. In 1981 its largest customer, the Washington Public Power Supply System, filed a civil suit against both P.D. and Western Nuclear, charging them with conspiring to fix uranium prices since 1972. Shortly after filing the suit, Washington Public Power canceled its uranium contracts with Western Nuclear, causing losses of more than $13.5 million over the last eighteen months.

Whatever the underlying causes of P.D.'s financial difficulties, the strikers and their unions have a simple explanation for the company's behavior. They charge that P.D. is trying to break the unions so that it can drive down wages, slash benefits, eliminate job security and seniority rights and rewrite production and safety rules. To back up that charge, they point out that on June 30 the company terminated the "continuing agreement" that has served as the basis of labor-management relations for more than four decades.

P.D. workers regard that eighty-seven-page contract as the culmination of struggles, strikes and collective bargaining by grandfathers, fathers and older brothers who were members of the militant Mine, Mill and Smelter Workers Union, which until Red-baiting and raiding by other unions forced it to merge with the U.S.W.A. in 1967, represented the majority of copper workers in the West. The termination of the contract, combined with P.D.'s insistence on maintaining production during the strike, made a confrontation inevitable.

On July 1, P.D. unilaterally imposed new working conditions and lower wage and benefit schedules. All employees hired after that date are paid $9 an hour, $2 less than the average union wage. The wages of workers already on the payroll have been frozen and their cost of living allowances have been eliminated. Medical coverage has been reduced



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from 100 percent to less than 80 percent, and a $100 deductible provision has been attached. Holidays, vacations and pension benefits have been slashed. Perhaps most damaging to the workers are the changes in grievance procedures and the elimination of many work and safety rules.

All thirteen unions, which sixteen years ago formed a Unity Council, struck immediately. P.D. countered by shifting most of its salaried and management personnel from clerical and administrative tasks to production jobs. The workday was extended to twelve hours; the work "week" to twelve days on, two days off.

P.D. warned the strikers that it planned to hire permanent replacements if they did not return to their jobs. Assuming that few strikers would return immediately, and in need of skilled workers, Phelps Dodge offered jobs to more than 650 employees who had been laid off for more than a year and to people who had recently retired from the company.

Morenci is a company town. When someone takes a job, it is almost always with the expectation that it is for life. Job, home and community are tightly integrated. Many families have lived in the town for generations, and community ties run deep. It would have been impossible for Phelps Dodge to bring in outside strikebreakers if local people weren't already crossing the picket lines and dividing the community. The offer of jobs to laid-off workers like George Mungia was intended to have exactly that effect.

P.D. hoped that once the community's pro-union solidarity was breached, the strike would collapse. Most workers had suffered through a six-month layoff last year, and the company thought that financial difficulties might force them to return to work. Mungia expressed the company's view when he said, "There are only scabs and those soon to become scabs." But the core of strikers remained solid. As the conflict entered its sixth week, the key facility in Morenci, where 1,480 union workers had been employed before the strike, was being manned by slightly more than 400 strikebreakers and a couple of hundred salaried personnel. The workers had proved that the strike could not be broken locally.

At this point P.D. decided to bring in outside strikebreakers. The decision was made at the highest corporate level. Board chairman George Munroe and P.D. president Richard Moolich flew from New York to Phoenix, where they gave final approval to a plan drawn up by their Western Management Group, headed by senior vice president Arthur Kinneberg.

It was common knowledge in Arizona, where one out of every eight jobs is dependent on the copper industry, that this move would lead to violence. The only surprise was how fast it came. P.D. announced its plan on Friday, August 5. The rank-and-file strikers in Morenci immediately recognized that it threatened the survival of their unions. On Monday, August 8, hundreds of striking workers armed with ax handles, chains and baseball bats, and supported by a crowd estimated by police at 2,000, disrupted the afternoon shift change. Many nonstrikers on their way to work were harassed and chased away; many whose shifts were over chose to remain inside the plant. George Mungia spent a nervous night hiding in the open pit. He was able to sneak out the next morning after a temporary truce had been declared.

Democratic Governor Bruce Babbitt flew to Morenci Monday night, and the next day he persuaded P.D. officials to call a ten-day production moratorium. The company went along with the Governor because it seemed likely that the police forces in the town would not be able to prevent strikers from crossing police barricades, entering the mine and removing the scabs by force, as they had threatened to do. Instead of allowing the strikers to impose a shutdown, the Governor urged P.D. to close the works.

On the surface, the strikers' militant defense of their jobs appeared to be a great victory. The key to this strike has always been whether or not P.D. can sustain production at something approaching a normal level. Ironically, P.D.'s decision to halt production temporarily marked the beginning of a shift in the balance of power in its favor.

As soon as calm was restored, Governor Babbitt, whom strikers quickly dubbed "Scabbitt," turned Morenci into an armed camp by ordering the largest mobilization of state police officers and National Guardsmen in the history of Arizona. More than 400 highway patrol officers and 300 guardsmen, supported by armored personnel carriers and helicopters, were dispatched to Morenci so that P.D. could reopen its mine, mill and smelter without interference.

At dawn on Saturday, August 20, more than 280 heavily armed state police officers lined up on both sides of P.D.'s gates. Soon a mile-long convoy of strikebreakers and salaried personnel rolled past five pickets at the main entrance. Not only was production resumed that day, but about sixty new employees, hired as permanent replacements for strikers, reported for work. Jim Krass, chief picket captain for Local 616 of the U.S.W.A., who was on the line that morning, remarked, "This town will never be the same. On this day Phelps Dodge has ripped the knife right down to the bone."

Two days later, George Mungia's father crossed the picket lines, along with about sixteen others. Figures released by P.D. show how badly the strikers were hurt by the state's intervention. On August 5, when the company announced its decision to hire outside workers, only about 700 people returned to work throughout the state. One week after the reopening of the Morenci facility, 1,363 strikebreakers were on the job statewide and only 812 positions remained to be filled.

From the outset of the strike, P.D. has taken the initiative. The company was better prepared than the regional and national officers of the major unions involved, who at first failed to grasp the magnitude of the attack being mounted against the workers. Only the rank and file and a few local union leaders showed any enterprise.

As P.D.'s strategy became clear and its position grew stronger, national union leaders desperately sought to come up with an offer that would meet the company's financial demands and get the union contract reinstated. At the end of August they submitted a proposal that they claimed would save the company as much money as P.D.'s own plan, without sacrificing cost of living allowances. In other

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words, the union leadership proposed ways of reducing benefits that even the company had not suggested. P.D. turned down the offer, saying the union's ideas were "helpful" but that cost of living allowances had to go.

Cass Alvin, a spokesman for the steelworkers, admitted that the "union is painted into a corner." He said that when the unions settled with the other copper companies in April, they promised not to negotiate a lower settlement with any of their competitors. But he hinted that the unions in the Unity Council would make further concessions if they were "imposed" by an outside arbiter.

The strike seems to have become a war of attrition, and the unions have mounted a legal offensive. They have filed unfair labor practice charges with the National Labor Relations Board and have challenged in court, with some success, both the threatened eviction of fired workers from company homes and the excessive bail imposed on strikers charged with minor picket-line infractions. The unions have also demanded a Congressional investigation of the strike.

More immediate relief has come as a result of the National Nonferrous Industry Conference convened by the unions at the end of August. Delegates pledged to collect a day's wages each month from all 100,000 workers in the industry to aid the P.D. strikers. (Copper workers in the Globe/Miami region, near Morenci, have been contributing to the strikers for some time.) Over the Labor Day weekend demonstrations and solidarity marches were held in mining towns throughout Arizona.

As the strike entered its eleventh week, John Bolles, manager at the Morenci facility, claimed he was achieving "100 percent production" with a work force of 1,244. Two hundred thirty-six are long-term laid-off workers, like George Mungia. Four hundred thirty-six are men like Mungia's father, who were working when the strike began and either never honored the picket lines or subsequently returned to work. Finally, there are about 600 new employees who have been hired since the facility reopened.

Bolles says he is still hiring, but only "highly skilled people" in "selected areas." And he says that "we have plenty of applications," which is hardly surprising given that 50 percent of Arizona copper workers are unemployed.

Forgotten by the company are the more than 1,500 strikers, some of whom worked for P.D. for forty years. Most of them expected to do so until they retired or died. Phelps Dodge considers these people part of its past. P.D.'s vice president for personnel, John Coulter, insists that all people currently working for the company are permanent employees. The company will save more than $2.25 million a year on wages alone for the 600 new workers.

The unions claim they have forced the company to resume negotiations, but according to Coulter the talks center on "housekeeping items," and he says they are "not making progress." On September 9, after talks were recessed for the weekend, Coulter said, "As far as we're concerned the strike is over."

But the strike is not over, and as it moves toward the end of its third month, two questions remain: Can the rank-and-file strikers and their local union leaders in Morenci, Ajo, Douglass, Bisbee and Safford, who are fighting not only for their jobs but for their homes as well, influence the outcome of the struggle? Will Phelps Dodge bother to negotiate with the unions if strikebreakers continue to cross the picket lines and produce the copper? □

BEYOND 'WASTE LAND'

Strategies for a New Economy (III)

Herewith the third in our series of discussions of the ideas advanced by Samuel Bowles, David M. Gordon and Thomas E. Weisskopf in their article "'Industrial Policy'—Now the Bad News," which appeared in the June 4 Nation. *The article, which was adapted from their book,* Beyond the Waste Land: A Democratic Alternative to Economic Decline *(Anchor/Doubleday), set forth progressive alternatives to industrial policy, the rubric for proposals aimed at reviving the economy. Industrial policy has been embraced by several major trade unions and by some of the Democratic Presidential candidates; its publicists include Felix Rohatyn, Lester Thurow and Robert Reich. The following responses comment both on Bowles, Gordon and Weisskopf's* Nation *article and on their book.* —*The Editors*

JOHN RUSSO

At its 1983 annual meeting in Bal Harbour, Florida, the A.F.L.-C.I.O. formally endorsed a national industrial policy. The A.F.L.-C.I.O.'s executive council said:

> For the long-term revitalization, the government must pursue a reindustrialization program that involves business and labor. A national industrial policy supported by a new Reconstruction Finance Corporation should be set up to rebuild the nation's industrial base with loans, grants, guarantees, and targeted tax policies to strengthen investment in basic industries, and new high-growth industries. Special consideration should be given to areas of high unemployment.

The key elements of the union's proposal are tripartism, nationalism and extensive government involvement in the economy.

The marriage of the A.F.L.-C.I.O. to industrial policy is, in part, based on expediency. The labor movement is facing its most serious challenges since the 1930s. The recession and employer belligerence have further reduced already declining memberships. Particularly hard pressed have been large industrial unions like the United Rubber Workers, the United Steel Workers and the United Automobile Workers, which provide the labor movement with much of its political and financial clout. With technological unemployment resulting from increased automation and robotics looming, unions in the basic industries and manufacturing sectors will deteriorate further.

Unions in other sectors of the economy are also suffering.

John Russo is the director of the labor studies program at Youngstown State University.

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Unionized construction is near Depression levels, and more and more union contractors are forming nonunion companies ("double-breasting"). To make matters worse, government employment, which was the fastest growing job market during the past two decades, is now shrinking. Union organizing in retail stores, service industries and emerging low-wage sectors is at a standstill. Contract concessions by its members, the defeat of the Equal Rights Amendment and the dismantling of important social programs are all evidence that the A.F.L.-C.I.O. has lost much of its political and popular support.

Industrial policy is seen by the A.F.L.-C.I.O. as a panacea for its current ills. By revitalizing basic industries and rebuilding the country's infrastructure, industrial policy would breathe life into the once-powerful construction and industrial unions. Furthermore, through its support for expanding the welfare state and channeling investment to sunrise industries, the A.F.L.-C.I.O. hopes to make unionism more acceptable to workers, thus increasing organizing opportunities. For organized labor, industrial policy thus offers a solution to the problems associated with the erosion of its power base.

Industrial policy also fills a vacuum in economic philosophy and mends political fences at the A.F.L.-C.I.O. With Keynesianism in disrepute and other economic philosophies unacceptable to it, industrial policy provides a way for the A.F.L.-C.I.O. to advocate a weak form of economic planning without challenging capitalism. Industrial policy's emphasis on nationalism and profitability enables the A.F.L.-C.I.O. to maintain its close ties with the military-industrial complex and with corporate liberals, like Lee Iacocca, who have suffered from international and government-sponsored competition. By identifying itself with industrial policy's emphasis on economic justice for workers, equal opportunity and protection of the environment, the A.F.L.-C.I.O. hopes to restore its credibility with liberal organizations representing women, minorities and environmentalists, with whom the labor community's relations have been strained in the last two decades. Championing industrial policy is seen as a way for organized labor to revive the traditional liberal community without seriously altering politics as usual at the A.F.L.-C.I.O.

Given those apparent benefits, what hazards does industrial policy pose to labor? First, as Samuel Bowles, David M. Gordon and Thomas E. Weisskopf have suggested, the false assumption of its advocates that there is a capital shortage leads them to call for the transfer of resources from consumption to investment. As a supporter of industrial policy, the A.F.L.-C.I.O. may be put in the untenable position of advocating programs that could result in a decline in the standard of living of its members. As recent contract bargaining has shown, concessions usually mean sacrifices by workers, who receive only empty promises in return. Indeed, industrial policy may be nothing more than concession bargaining on a grand scale [see Jane Slaughter, "The Chrysler Bail-Out: A Preview of Industrial Policy," *The Nation*, October 15].

Second, by endorsing industrial policy, the A.F.L.-C.I.O. will be required to "throw in" with the wonderful folks who gave us deindustrialization. Organized labor will be asked to share the costs of going out of business in the sunset industries and to provide, by wage cuts, the investment capital for what to date have been nonunion, low-wage sunrise industries. The decisions under industrial policy about whether to invest or disinvest would be based on profitability. To those who have watched corporations milk their "cash cows" and then close plants that are no longer profitable, industrial policy appears to do little more than provide corporations with another udder.

Third, industrial policy, with its emphasis on free trade and U.S. economic dominance, has strong imperialist overtones. As an advocate of that policy, the A.F.L.-C.I.O. might find itself supporting military and foreign policies that would be harmful to the labor movement. In the past, it has supported U.S. adventurism in the name of protecting American interests and building American-style labor movements in other countries. This has often meant backing Third World dictatorships that suppress national liberation and labor movements. Multinational corporate development in those countries has frequently been achieved at the expense of domestic investment. American workers threatened by plant closures and by the movement of U.S. firms overseas have been forced to compete against low-wage workers in Third World countries whose governments have the tacit approval of the A.F.L.-C.I.O. Obviously, an industrial policy that requires the acceptance of cold war military and foreign policies would weaken American unions while promoting international unionbusting.

Fourth, embracing industrial policy could further distance the labor movement from a majority of working Americans. That is precisely what has happened in Japan, where cooperation between organized labor, business and government has resulted in a dual labor market in which the wages, working conditions and benefits of organized and unorganized workers differ dramatically. As John Junkerman recently suggested in an article in *Working Papers*, the stratified labor market in Japan "serves to separate dead-end unrewarding jobs from the main workforce," "isolates dissent among unorganized workers," "fosters competition between the various ranks" and "reinforces the elite consciousness of workers at the top of the heap." There is already a dual labor market in this country. The disenfranchised often complain that organized labor is a "labor aristocracy." The A.F.L.-C.I.O.'s support of industrial policy might exacerbate that problem and hurt organizing efforts and efforts to gain the political support of nonunion workers. Organizing the unorganized and raising political consciousness must be the basis of any revitalization of organized labor.

Finally, industrial policy is a weak response to the deteriorating standard of living of working people. It is another example of the A.F.L.-C.I.O.'s lesser-evil politics, which have resulted in a failure to organize the unorganized (or even the organized) and to grasp the implications of the fundamental changes in corporate organization, technology

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and basic economics that have taken place in the last twenty years. Organized labor should begin to explore alternatives to industrial policy that are based on social needs and broader democratic principles. Bowles, Gordon and Weisskopf have provided an enormously helpful blueprint in *Beyond the Waste Land*.

As Solidarity Day proved, there is a simmering discontent among unionists throughout the country that is waiting to be mobilized. How that discontent will be channeled could be the most important political question for unions in the 1980s. In choosing to support industrial policy, the A.F.L.-C.I.O. has charted the course of least resistance, hoping to recapture its lost glory. In the process, however, it may have embarked on a program that is inimical to its vital interests and more regressive than progressive. □

AMY DRU STANLEY

As a vision of economic change and a mobilizing point for progressive political organization, the proposals outlined by Samuel Bowles, David M. Gordon and Thomas E. Weisskopf merit commendation and serious attention. Measured either by a "social needs" standard or by the more conventional yardstick of economists, cost and efficiency, they suggest a democratic way to refashion and revitalize the U.S. economy—a compelling alternative to corporate waste and industrial policies. But why do Bowles, Gordon and Weisskopf spurn public welfare programs?

Since they expressly reject laissez-faire economics and fear of big government, it is puzzling that their Economic Bill of Rights does not affirm the need for a comprehensive welfare system. Nor do they challenge the ethos that stigmatizes welfare recipients as immoral and unproductive. On the contrary, their advocacy in *Beyond the Waste Land* of full employment, guaranteed public employment and government payments to single parents who care for their children at home includes an explicit disclaimer: "This is not a welfare program; this is payment for highly skilled, demanding, and socially valued work. We do not call for expanded general public assistance or income maintenance. . . . We think that those who are capable of working should make a valuable social contribution." That argument almost echoes workfare, which provides public assistance only in return for labor. Rather than advocating a system of public assistance that rebuts the rules of the marketplace, the authors support one that extends them.

The inference, of course, is that full employment and public works programs will make welfare unnecessary. But until enlightened legislators enact the necessary reforms, what will replace public assistance for those who are unemployed or whose jobs are in jeopardy? Until high-tech actually generates high-wage, high-productivity jobs, where are unskilled, unorganized and low-paid employees to turn for protection? Until there is a decent minimum wage and pay scales based on comparable worth are established by law, what income supports will be available to those who must support families while earning less than subsistence wages? And until discriminatory dual labor markets disappear and child care is guaranteed by the state, where are the nation's most vulnerable citizens—women, minorities, the elderly—to seek help if not from the government?

Not only does the Economic Bill of Rights fail to address the immediate problems created by cutbacks in social programs; it also overlooks the fact that public assistance can sustain the struggle for economic democracy. By providing a measure of security, by moderating the material impact of reprisals against political activism, welfare can buttress democratic initiatives. The connection between economic security and democracy is one Americans have understood since the eighteenth century. Those who protest that welfare means dependence subscribe to a romantic ideal of self-reliance, inapplicable in a society composed of wage earners dependent on jobs controlled by corporations and the state.

For the moment, at least, groups seeking progressive reform must demand the extension of public assistance—whatever the political costs of such a stance and whatever the financial burden of such programs. For the left to sidestep the thorny issue of welfare is to grant the New Right exclusive authority over it. The other alternative is to look beyond "economic democracy" toward more radical change. □

Amy Dru Stanley is a doctoral candidate in American history at Yale University and an associate of the Institute for Policy Studies.

MICHAEL HILLARD AND RICHARD McINTYRE

While we find many of the arguments in *Beyond the Waste Land* compelling and support the authors' call for an extension of economic democracy, both their analysis and their political program have serious shortcomings. In their attempt to pose an alternative to "industrial policy," Samuel Bowles, David M. Gordon and Thomas E. Weisskopf fail to recognize important differences between the various corporatist writers on the subject. Nor do they adequately address the problem of coalition building, a process which is necessary for the implementation of their program.

Bowles, Gordon and Weisskopf masterfully distinguish between the monetarist, corporatist and supply-side agendas for political and economic change. Such differentiation is crucial, not only because each approach offers a different explanation of the roots of America's economic decline but also because each position is embodied in the political program of a different sector of capital. For instance, many small high-technology firms support tax cutting and treasury robbing, while opposing anything that smells like industrial policy. On the other hand, firms in mature industries may be amenable to corporatist solutions, particularly the coordination of regulatory programs.

While undeniably different, monetarism, corporatism and Reaganomics share a common premise, as Bowles, Gordon and Weisskopf point out. Profitability and economic

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growth constitute the holy grail pursued by each camp. Whether it is Lester Thurow's technological determinism, Robert Reich's implicit acceptance of the product life cycle as a natural force or the monetarists' quasi-religious belief in the market, none of the participants in the current debate challenge the underlying power relationships based on the primacy of capital.

However, Bowles, Gordon and Weisskopf's failure to distinguish the views of Felix Rohatyn from the very different views of Robert Reich (and his erstwhile colleague, Ira Magaziner) could be dangerous to the left. While Reich's program ultimately relies on a restoration of socially rational corporate decision-making, many of his prescriptions have more in common with the ideas put forth by Bowles et al. than they do with the ideas of his alleged colleagues in industrial policy thinking.

The authors criticize advocates of industrial policy because they identify low capital formation as the cause of stagflation. Yet Reich and Magaziner reject the capital-shortage position as well as other know-nothing explanations like overregulation. Bowles, Gordon and Weisskopf call for an economic recovery based on wage-led growth rather than profit-led growth. Reich and Magaziner contend that recovery *requires* full employment and champion strategies to make the transition to high-tech industries that "permit" high wages. These similarities may suggest to left-liberals that the proposals in Reich's new book, *The Next American Frontier*, are an achievable version of Bowles, Gordon and Weisskopf's program.

Reich lays the blame for the long-term decline of the U.S. economy on the failure of corporate management to respond to changing competitive conditions. He adds that the state has contributed to the decline through tax giveaways, unwarranted protectionism and an unwillingness to recognize the benefits of *coordinated* management of the economy. Reich offers a complex argument for shifting managerial talent from socially unproductive uses, and he emphasizes the need for robust entrepreneurial activity. In addition, he takes the traditional liberal belief that, in areas like education and transportation, social returns on investment exceed private returns and applies it to "key industries" like steel and autos.

The bad news in Reich's industrial policy is not a lack of commitment to American workers' living standards. It is its distributional effects and its political basis. Barry Bluestone and Bennett Harrison demonstrate in *The Deindustrialization of America* that something akin to Reich's model of restructuring—economic growth led by high-value-added industries—has occurred in New England over the past decade. The result has been greater income inequality, because most of the jobs created have been in low-wage occupations.

The need for democratic participation in restructuring the political economy, thoughtfully articulated by Bowles et al., is not considered by Reich. As recent history has painfully shown, when profit and social equity are at odds, social considerations tend to be de-emphasized. A progressive solution to America's economic decline requires an extension of both political *and* economic democracy. ☐

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BOOKS & THE ARTS.

Starbuck Wins Marshall Prize

The Lenore Marshall/Nation Poetry Prize of $5,000, awarded annually for the outstanding book of poems published in the United States, is sponsored by The New Hope Foundation, in conjunction with The Nation. *Previous winners of the prize have been John Logan (1981), Sterling A. Brown (1980), Stanley Kunitz (1979), Hayden Carruth (1978), Allen Tate (1977), Philip Levine (1976), Denise Levertov (1975) and Cid Corman (1974).*

This year the prize has been awarded to George Starbuck for his collection The Argot Merchant Disaster: Poems New and Selected *(Atlantic-Little, Brown). The judges were May Swenson, Sydney Lea and Dana Gioia, who has contributed the accompanying essay.*

There were many distinguished collections of poetry published in America in 1982. Charles Wright and Galway Kinnell both reaffirmed their important position in American poetry with award-winning volumes of selected work. British-born Tony Connor celebrated his American citizenship with the superb *New and Selected Poems* (University of Georgia Press), which traced his development from working-class Lancashire to prosperous New England. Hayden Carruth and Theodore Weiss both published long, ambitious poems. Carruth's *Sleeping Beauty* (Harper & Row) carefully explored the complex nature of romantic love, while Weiss's visionary *Recoveries* (Macmillan) examined the shifting boundaries between art and reality. Meanwhile, Richard Moore's *Empires* (Ontario Review Press), an intriguing quartet of extended dramatic monologues, also expanded the possibilities of the contemporary long poem. In *Flood* (Atlantic-Little, Brown), William Matthews used natural disaster as an unexpected avenue to self-discovery, while in *Northbook* (University of Illinois Press), Frederick Morgan adapted Norse mythology to construct a powerfully personal world view, marking a new high point in his career.

Last year was also notable for the work of younger poets, some of them publishing collections for the first time. Dennis Johnson's ingenious *Incognito Lounge* (Random House) introduced a poet of quick wit and strange illumination. Miriam Goodman's *Signal: Noise* (Alice James Press) showed remarkable originality in another way. Writing about the world of business from the inside, Goodman dealt with an important subject that has rarely entered our poetry. There were also impressive reappearances: 80-year-old Gilbert Byron, for example, whose *Sunbathing with the Professors* (Unicorn Book Shop) provided a humane and captivating view of the fishermen and townspeople on the Chesapeake Bay's Eastern Shore. Published by a small bookstore in Easton, Maryland, this unusual collection shows the importance of small regional publishers in bringing out work the major national houses ignore.

Faced with these and other deserving books, the three judges—Sydney Lea, May Swenson and myself—tried to choose the single volume most distinguished for its excellence and originality. Reading through the nearly 200 books nominated for the award, we tried to be open to all styles and subjects. We paid special attention to collections from the small presses, since we knew those often receive short shrift from other award committees. We did, however, exclude three books which had already won major national awards because we felt it important to maintain the Lenore Marshall Poetry Prize's tradition of independence.

Our choice for the 1982 Marshall Prize is George Starbuck's *The Argot Merchant Disaster: Poems New and Selected.* Some people will be a little shocked by the choice. Many more, we hope, will be delighted, because Starbuck is not the kind of poet who is commonly considered serious enough for major awards. A master of light verse and satire, he is usually relegated to a second class of literary citizenship. Segregated by the Jim Crow laws of contemporary criticism from all but a few specialized anthologies, his work is not widely known, and until the publication of this volume, all his earlier collections were out of print. But if his audience has not been large, it has been dedicated. Connoisseurs of language have long recognized him as one of the few living masters of satiric poetry.

For the last thirty years Starbuck has steered an independent course in the trendy currents of American poetry. He has written light verse in an age that demanded deep seriousness. He has blithely mastered both free and formal poetry when literary politicians required steadfast allegiance to only one camp. While many poets retreated into the narrow realm of personal concerns, he consistently engaged broader social and political issues. He has savagely satirized the military and the exploiters of the environment while not ignoring the shortcomings of the intellectual establishment to which, however reluctantly, he himself belongs. Treating these themes with objectivity in a distinctly personal manner, he affirmed the public role of the poet without succumbing to the dangers partisanship poses to art.

As the self-deprecating title of this collection suggests, Starbuck has a keen sense of his own limitations as a poet. He is no Prince Eliot nor pretends to be. He cultivates the role of active citizen rather than that of priest or prophet. This modesty, however, does not disguise Starbuck's conspicuous strengths. He has been rightfully praised as a brilliant stylist, a virtuoso of comic rhyme and rhythm, of literary pastiche and pun. He is also an honest and intelligent observer of his age, though less attention has been given to this crucial quality. Perhaps Starbuck has become the unwitting victim of his own inventiveness. The glittering surfaces of his poems have obscured the depth and seriousness of his concerns. Too few readers have noted the essential interdependence of his voice and vision. His humanity has given resonance to his technique just as his ingenious imagination has invigorated his beliefs.

But while Starbuck has often instructed, he has never failed to delight. *The Argot Merchant Disaster* is a hilarious book. Even poetry judges are human, and one deciding factor in our choice was how much he made us laugh

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and how surprisingly illuminating we found those moments of mirth. Reading the poems aloud to one another, we felt refreshed by the dexterous clarity of his language, enlightened by the sharp accuracy of his wit. His poems recaptured for us that elemental pleasure of hearing and pronouncing memorable speech basic to all poetry.

No one has ever satisfactorily stated the purpose of poetry. Its mission seems too manifold for precise definition. But surely one of its most important functions is, as Mallarmé once wrote, "to purify the language of the tribe," to clear the common discourse of the propaganda of phrase-making politicians, the euphemisms of the media, the vague categories of moral pundits. It is curiously ironic that so private a poet as Mallarmé, memorializing the equally subjective Poe, would have articulated the social functions of the art, but that is not the only irony to be found in his famous phrase. Hearing it invoked so frequently to justify the most tendentious pronouncements on the art, one is accustomed to linking it only with poetry of high seriousness. And yet I wonder if this purifying function has not been better served by light verse. What form has more consistently punctured the fashionable pomposities of language, revealed the suave hypocrisies of the status quo?

If comedy and satire have maintained a place in contemporary poetry, if light verse continues in some small way to keep the general language free of pomposity and cant, no American poet is more responsible than George Star-

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A spawn of cities crumbled into flame.
A galloping of paladins became
Nightmare and died screaming when it foaled you.

The nebulae come running to behold you.
If it were not so I would have told you.
Surely goodness and mercy are the name
The darkness and the starry legions spoke
When they cast down their banners to enfold you
In the sparse tangled buntings of the dawn.

THE WELL-TRAINED
ENGLISH CRITIC SURVEYS
THE AMERICAN SCENE

Poetic theory in America is at present in an extremely curious state, resembling that of England during the Barons' Wars rather than that of a healthy democracy or well-run autocracy. It is not even a decent civil war . . .
Thom Gunn in Yale Review

Sometimes I feel like a fodderless cannon
On one of those midwestern courthouse lawns
Fiercely contested for by boys of ten and
Topped by a brevet general in bronze.

Hallucination, naturally: no
Era without its war, and this has its,
Roundabout somewhere, some imbroglio,
Even if only run by starts and fits.

Limber me up again, somebody.
In with the charges! To the touch-hole! Wham!
Elevate me, ignite me, let one ruddy
Side of the other taste the thing I am!

This pale palaver, this mish-mash of factions:
How can you find employment in a war
Of private sorties and guerrilla actions?
Maddening! Maddening! It chokes the bore!

Great God why was I tempered of pure sheffield
Unless to belch and fulminate and reek?
Never in England would I be so stifled.
Name me the nearest caitiff: let me speak!

From *The Argot Merchant Disaster: Poems New and Selected* (Atlantic-Little, Brown), ©1982 by George Starbuck.

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buck. The absolute importance of his contribution will seem greater to some readers than to others, but large or small, Starbuck's place is an honorable one. DANA GIOIA

NEW STRAIN

You should see these musical mice.
When we start the device
they rise on their haunches and sniff
the air as if
they remembered all about dancing.
Soon they are chancing
a step or two, and a turn.
How quickly they learn
the rest, and with leaps and spins
master the ins
and outs of it, round and round
and round. We found
the loudest music best
and now we test
with a kind of electric bell
which works as well.

In two to two-and-a-quarter
minutes, a shorter
rhythm captures the front
legs, and they stunt
in somersaults until
they become still
and seem to have lost their breath.
But the sign of death
is later: the ears, which have been
flat, like a skin
skullcap, relax and flare
as if the air
might hold some further thing
for the listening.

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"Nomine Domini
Theotocopoulos,
None of these prelates can
Manage your name.

Change it. Appeal to their
Hellenophilia.
Sign it 'El Greco.' I'll
Slap on a frame."

SAID

J. Alfred Prufrock to
Hugh Selwyn Mauberly,
"What ever happened to
Senlin, ought-nine?"

"One with the passion for
Orientalia?"
"Rather." "Lost track of him."
"Pity." "Design."

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MARGO JEFFERSON

OVERDRIVE: A Personal Documentary. *By William F. Buckley Jr. Doubleday. 292 pp. $16.95.*

I saw William Buckley talk about *Overdrive* on the David Letterman show last month. (As you must know by now, the book is a journal, a week's worth of his opinions, judgments, activities, tastes, appreciations, retaliations and self-justifications.) He began, he told David, from the assumption that one can say something interesting about anything, cited Steinbeck on a turtle and Joyce on Leopold Bloom, added a quick half-sentence disavowing equality with either and concluded that one can learn a great deal about the times by examining small events closely. Well, I thought, at least he's cannier than Jimmy Breslin, who used to counter critics of his lurid Son of Sam columns by declaring in his friend-of-boxers-and-boozers way that "Shakespeare, Marlowe, great poets through the ages" wrote about murderers.

I watched Buckley with interest, since many who dislike his politics have written at some length about his personal charm. A gracious man, they say, a generous friend, master of the art of living well. I've often thought he must be like one of those period hostesses called charming in memoir after memoir and wearisome by reader after reader. That evening I saw flickers of charm, mostly in dumbshow: the darting tongue, the widened eyes, the eyebrows edging upward then together, the careful movement of hand to chin, the lip preparing to curl disdainfully, the general air of vigilant languor were held in check.

Still, the tone liberal admirers take toward Buckley is nervously effusive; I wonder if they aren't suffering from tokenism (". . . the only articulate conservative who valued vulnerability at least as much as principle"; "Citizenship for most of us is a hobby; for him it is a calling"). Anyone who has ever been liberal about anything has suffered from tokenism: you exclaim suddenly over qualities you'd take for granted anyplace else; you benefit from what the token has to offer (access to a different world); you retain all the comforts of home (that warm glow of amiable condescension); you emerge with a heightened sense of your social standing and versatility. Anglophilia must play a part: Buckley's manner and diction bask in it while trying to best it. (In his thriller *Saving the Queen*, golden C.I.A. boys wrest glory, honor, bon mots and phallic panache from inbred Englishmen with titles, sadistic streaks and communist leanings.) And perhaps his references and Latin maxims please some adults the way knowing all the answers on College Bowl used to please some students.

But I don't think his charm needs high praise or close scrutiny. Wouldn't you be gay and companionable if your politics were based on nostalgia and self-congratulation buttressed by personal wealth? And if you took pride in your intellectual sophistication, wouldn't you cultivate charm and good manners? They're useful for proselytizing, and if one takes a Calvinist line, they're a sign (along with economic plenty) of grace.

Buckley enjoys himself and his life; charm is part of his job as a professional entertainer. But when he's a host on *Firing Line*, that amiability gives way to sneers; it's as though once the business of selling books is done, only the deserving receive charity, that is genuine courtesy. He's mastered a road-show version of patrician rudeness—you don't lose your temper, you display it. Phrases like "witty insolence" and "lofty eloquence" are meant to spring to mind when we watch W.F.B. They do, since they're clichéd descriptions of a style cribbed from the basic British statesman and man of letters model.

I don't say this style can't be effective; for one thing, Buckley was shrewd enough to adapt it to journalism and not, say, poetry. It's coarsened over the years, and it was always garish. (I often like garishness, but not when it believes so in gentility—a lapsed Philadelphian I know says she can't watch *Firing Line* without recalling the Main Line parvenus of her youth.) But he'll have his place in television history as a polysyllabic *farceur*, the M.C. of sophistry.

Buckley is a professional and recreational snob (snob: *n* [obs. *snob* member of the lower classes, fr. E dial., shoemaker]). He's bootblack to the powerful, plying his trade in full view of the

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media-tuned middle classes, hosting PBS's "Brideshead Revisited" with a grave and reverent air meant to suggest his intimacy with the ways of the Flyte world.

Still, isn't it possible that a book like *Overdrive* might reveal another Buckley—a man of easy elegance, like Blackford Oakes, dashing hero of *Saving the Queen*, who is "without affectation, with the possible exception that he never labored to conceal his intelligence which is so much the accepted thing to do that acting naturally, intelligence sometimes becomes suspect as affectation"? Well, no. First of all, it's not a journal; it's a "personal documentary." Furthermore, Buckley tells us that an earlier book written in the same form, *Cruising Speed*, "had in my judgment succeeded in exploring an unusual device for autobiographical introspection—easier to execute, and in some ways more revealing than the more comprehensive conventional treatments."

Each busy day of *Overdrive* holds duties, reminiscences and anecdotes; fond words for friends (John Kenneth Galbraith, David Niven), sharp ones for offenders (Gore Vidal, Vassar students who protested his giving their commencement address); excerpts from speeches, letters, *Firing Line* transcripts and columns. There are nice moments, as when he describes his mother or Wanda Landowska. And I didn't mind the media-management details of his career and image—they had the brisk, functional self-absorption you find in show business autobiographies, also the quick, vivid plunges from geniality to vindictiveness and the compulsion to set every appearance right.

This works when it's a question of acerbic letters to delinquent editors. But with more complicated issues, like the S.E.C.'s investigation of his family corporation, press misbehavior is proved, while the company's financial rectitude is not. Then there is the matter of vanity. Was it wise of W.F.B. to reprint a dispute with columnist Herb Caen over whether Evelyn Waugh had been serious when he called Buckley a bore? Here's the disputed portion of Waugh's 1960 letter to writer Tom Driberg: "Can you tell me: did you in your researches come across the name of Wm. F. Buckley Jr., editor of a New York, neo-McCarthy magazine named *National Review*? He has been showing me great & unsought attention lately & your article made me curious. Has he been supernaturally 'guided' to bore me? It

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October

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1975–FBI Asst. Director of Intelligence Division Warnall discussing mail-intercepting projects testifies: " . . . we retain the material indefinitely . . . "

1975–FBI Chief of Counterintelligence Branigan testifies that the 25-year mail-intercepting project did not uncover "a single illegal agent."

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would explain him. . . . If anything can." Here, presented as opposing evidence, is part of a letter Waugh wrote Buckley two years later. "Very many thanks for *Rumbles*. Some of the essays were familiar to me from *National Review*. I reread them with the same zest as those which were new. You have the very rare gift of captivating the reader's attention in controversies in which he has no direct concern. I congratulate you on the collection. At your best you remind me of Belloc; at your second best of Randolph Churchill." Waugh, Buckley tells us, wrote two pieces for *N.R.* Given Waugh's publishing savvy, his well-known duplicity and his artful dodger's malice, isn't a literary bread-and-butter note a rather barbed laurel to rest on?

I certainly don't think Buckley should feel obliged to note that his son was offered a job as speech writer for George Bush "based on his past writings for *Esquire*." Bush and Buckley *père* are among the twenty-six members of Hillbillies, "our little club in the Bohemian grove"; all three men are Yale alumni. Preferential treatment or affirmative action based on school and family ties is similar in form if not content to that based on sex or race. Both are meant to protect qualified job applicants: from open competition in the first case and from open discrimination in the second. I never doubted that Christopher Buckley was suited for his job and would do it well.

It would have been nice, amid all this, to find pithy esthetic judgments scattered through *Overdrive*. Much has been made of Buckley's gifts as an amateur musician and of his taste in general. But it's all book jacket and billboard talk—Hugh Kenner is "perhaps the supreme arbiter of literary taste living today"; Nicholas Nickleby was "surely the most captivating theatrical experience I've ever had." There are a few glimpses of Rosalyn Tureck, but for the most part music calls up the same old public domain words used by audiences and amateurs the world over: "breath-catching," "marvelous," "horrifyingly difficult." And why claim that Bach is such a rarefied taste? Buckley once did a program called "Why Are They So Afraid of Bach?"; I'd like to do one called "Why Are 'They' So Afraid Bach is Easy to Love?"

I was mildly curious about Mrs. Buckley, but she makes only walk-on appearances here. She sends up a tuna sandwich with cheese-something she has read about somewhere, she clutters up the harpsichord with photos, she talks on the phone for hours and offers to record the 7 o'clock news, except that she's forgotten whether the videocassette antenna switch should be off or on. At the week's end she sets a splendid table for a luncheon honoring George Bush, which causes her husband to reflect, "Men tend not to focus on the amount of time these things take." He also notes that she is in "one of those permanent international best-dressed women categories," but again he fails to focus on the value of her achievement. Those who have followed Mrs. Buckley in the pages of fashion magazines might have noticed that her militant opulence (stockpiled waves of hair, clusters of jewels, voracious ruffles and furs) is the visual equivalent of his verbal style.

My nominations for the worst sentences in *Overdrive* are as follows. For content based on specious reasoning and bogus morality, it is a tie between "I'd rather the burglary, however reprehensible, had succeeded, than that Watergate and the collapse of a foreign policy should have happened. Put it this way: if the Scotch tape at Watergate had stuck, maybe there wouldn't have been any boat people"; and "It is much easier to convey the image of a single child or mother blasted to eternity as the result of the bombing in Vietnam than successfully to communicate the quality of life of Ivan Denisovich, multiplied by a factor of ten to fifteen million, in a camp to which CBS cameras have no access." For poor prose without redeeming social value, I chose "The feeling, after lecturing, on regaining the occupancy of one's room is a delight whose resonances have been insufficiently sung."

The best writing belongs to scholar Sophie Wilkins for her letter to W.F.B. debunking *National Review* editor Jeffrey Hart's sycophantic account of a reading T.S. Eliot gave at Columbia. "The Great Dead Poet," she wrote, "looked like a well-upholstered package—flanked by *two* undertakers in dress uniform (penguins): Jacques Barzun to the right of him, Lionel Trilling to the left of him. . . . Not one living word came out of him, in that dead voice (the poet was dead, the man had probably never been so happy, and I did not begrudge him that; he had certainly earned it). But to read Jeffrey Hart's pious conclusion, 'Eliot *was* the West that night.' Yes indeedy, but if so,

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he was burying us more effectively than Khrushchev ever could, burying us from the Inside, beginning with himself."

I know it's only a dream, but I keep thinking of how I would cast Buckley if I were a director. Say the production was *Twelfth Night*. I know he would want to play the worldly, music-loving Orsino, Duke of Illyria, but imagine him as the steward Malvolio: officious, obsequious, glutted with self-love. Given his concern with statecraft, manipulation and cultural purity, I might try him as Iago to Thomas Sowell's Othello. In an all-male production of *The Rivals*, Buckley's speech rhythms could do wonders with Mrs. Malaprop's linguistic pratfalls. But finally, I believe his style belongs to popular culture. He might be placed, for instance, in the tradition of Adolphe Menjou, who brought his greased and oiled worldliness first to movies, then to Senator McCarthy. But what I'd really like to do is stage a minstrel show for Buckley. No hiding behind burnt cork—my minstrels would show the skins they were born with. Just Buckley, in a ring of conservative showmen, uttering fatuities to the rhythm of tambo and bones. □

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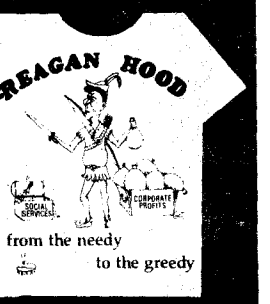

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Of 'Atom Spies' and Ambiguities

(*Continued From Front Cover*)

bomb" and given it to the Red enemy, causing casualties "exceeding 50,000" (Judge Irving R. Kaufman, on sentencing) or "tens of millions" (President Eisenhower, on the day they were executed). But who was counting? The early 1950s consensus was that a coven of City College subversives, acting on behalf of the international Communist conspiracy, had ended America's nuclear monopoly, triggered the Korean War and put the free world itself in jeopardy.

Now, however, it is generally agreed that there was no single "secret" of the A-bomb, certainly not one that could be transmitted from memory by a high school graduate; that what the Russians' own scientists hadn't already figured out they had learned from Klaus Fuchs, the world-renowned physicist who had passed them technical information even as he worked on the Manhattan Project at Los Alamos. While it may be against one or another law, sharing such marginal information as the Rosenbergs were convicted of having conspired to procure, with a wartime ally on one's own initiative, hardly seems the "crime of the century"—certainly it did not deserve the death penalty.

Throughout our history, as historian David Brion Davis has observed, "there has been a striking discrepancy between the pitiful weakness and incompetence of most conspirators and the willingness of many Americans to believe that a powerful, monolithic and virtually infallible organization was about to overthrow the Republic." Were the exaggerated fears generated by the Rosenberg case merely one more instance of a pattern that has persisted from the time of the first subversive plots of the British crown against our free institutions? Or were cold war myths, fears and suspicions sui generis? What role, if any, did the Holocaust play in setting the stage for what was, after all, largely a Jewish drama (the judge, prosecutors, defendants and their counsel were all Jews demonstrating their patriotism before a gentile audience)? What were the psychological mechanisms by which so many dedicated civil servants, politicians and statesmen persuaded themselves that these unhappy two had jeopardized our survival? What were the enduring consequences of this tragic episode to our people, our polity, our spirit?

These are among the important questions raised by Radosh and Milton's *The Rosenberg File: A Search for the Truth* (Holt, Rinehart & Winston, 608 pp., $22.50). Unfortunately, the authors chose not to grapple with them. Instead they preferred to embark upon what they call "a search for the truth"—to sort out not the meaning but the facts, to say once and for all that the Rosenbergs and their co-defendant, Morton Sobell, were or were not guilty as charged.

That's too bad. The sociology of countersubversion is a critical and much misunderstood subject, and no case would seem better suited to exploring it than this cold war spy drama which captured the imagination of the world, especially when viewed in tandem with the Hiss case and the Smith Act pros-

Victor Navasky is the editor of The Nation.

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ecutions that preceded it. But it is not for me to tell Radosh and Milton what book they should have written, and searching for the truth is never an ignoble or irrelevant enterprise. Besides, in a case that has been beleaguered by ideologues, if indeed Radosh and Milton had "succumbed to the facts," as Walter Goodman put it in *The New York Times Book Review* some weeks ago, that in itself would be a considerable service.

That, of course, is exactly what they claim to have done—to have looked at the facts as independent scholars without ideological blinders. Their claim seems enhanced by a conclusion that appears to split the ideological difference: The Rosenbergs were guilty of low-level espionage; the state was guilty of political murder. Their credibility is not hurt by their backgrounds, particularly that of Radosh, a sometime *Nation* contributor who as a high school student participated in the Union Square deathwatch vigil for the doomed couple and who, as late as 1974, was a leading member of the Committee to Re-Open the Rosenberg Case. In fact, it wasn't until his friend James Weinstein, editor of *In These Times*, told him a story that his "suspicions as a trained historian were aroused," and he embarked on this study (first with former *Ramparts* editor Sol Stern, who seems to have conducted most of the interviews, and after he dropped out, with journalist Joyce Milton). Among their key findings:

§ Julius Rosenberg organized and ran at least one "spy ring," which consisted primarily of City College alums who engaged in industrial espionage and passed on the fruits of their labors to the Soviet Union.

§ The key witnesses against Julius—David Greenglass (Ethel's brother) and Harry Gold, the go-between, an odd character with a history of fantasizing—told the truth at the trial.

§ Although there was no secret of the A-bomb, the sketch of the lens mold passed on by Greenglass to Gold, and then to the Russians, had some value.

§ Ethel knew about the theft of the A-bomb information and was probably complicit.

§ The evidence against Ethel was at best weak, but the government's strategy was to use her as a "lever" to get Julius to talk.

§ The behind-the-scenes conduct of virtually everyone involved, from the judge to the prosecutors to the general counsel of the American Civil Liberties Union to the F.B.I. to the Rosenbergs' own lawyer to the leaders of the American Communist Party, was improper, immoral, corrupt and/or inept, thereby depriving the Rosenbergs of a fair trial and of fair post-trial consideration of their appeal for clemency.

Lots of questions are left hanging. Thirty-thousand F.B.I. documents remain unreleased and critical portions have been censored from the rest. Using the same mass of papers as Radosh and Milton, Walter Schneir and Miriam Schneir came to a diametrically opposite conclusion on the question of the Rosenbergs' guilt in their updated *Invitation to an Inquest** (Pantheon, 522 pp., $8.95), and have taken 3,500-word exception to the Radosh-Milton thesis in *The New York Review of Books* (" 'Invitation to an Inquest': An Exchange," September 29). Nonetheless, the mainstream press has hailed *The Rosenberg File* as establishing the "basic truth" about the case. As Prof. Alan M. Dershowitz of the Harvard Law School wrote on the front page of *The New York Times Book Review*, "All future discussions about the Rosenberg case, at least those that are reasonable, will have to begin with the historical fact that Julius Rosenberg was guilty of espionage."

Dershowitz's point is worth pondering not only because of his essay's influence—that comes with the venue—but because of his ostentatiously non-ideological stance. Like Radosh and Milton, he virtuously claims to be more interested in the truth than in its ideological consequences. And his test of truth relies on evidence, sources, methodology. By those criteria he finds that the evidence that Julius played a central role in "a Soviet spy ring" emerges "from so many independent, indeed mutually antagonistic sources that it is impossible to discount."

This focus on cross-confirmation, documentation and the quality of sources is apropos. A reviewer cannot, after all, replicate the original research—collate hundreds of thousands of pages of government documents, ferret out pseudonymous missing persons such as the Greenglasses, gain access to restricted archives. One can, however, spot-check available sources, analyze a random sample of the files, weigh the logic of the argument and make sure it doesn't venture beyond the evidence. This would seem a critical task to undertake before concluding, as did, for example, Prof. Alan Brinkley of Harvard, in *The Washington Post*, that "rather than use the Rosenbergs to settle old ideological scores they have risen above the passions surrounding the case and produced a work of remarkable balance and restraint."

In fact, Radosh and Milton are not always quite so scrupulous as Dershowitz, Brinkley and others suggest. Sometimes they accept F.B.I. files at face value; sometimes they make dubious use of their sources; sometimes they claim more than their evidence warrants. Nor are those practices entirely random. It is true that Radosh and Milton noisily reject the shibboleths of those they call extremists on both sides; it is also true that they are as merciless on the prosecutors as they are on the defendants and their defenders. Nevertheless, two biases seriously skew their research. First, there is their resistance to unresolvable ambiguity; second, despite their condemnation of cold war injustice, they maintain the dubious cold war assumptions of liberal anti-communism, especially in the way they link the American Communist Party to the Soviet espionage apparatus.

These biases assert themselves particularly in their handling of F.B.I. files. Frequently, the authors check the raw data in the files against other documents or the memories of participants. But frequently they do not. Consider their discussion of the F.B.I.'s first interview with Al Sarant, who was, according to Radosh and Milton, a key member of the Rosenberg spy ring and who was recently reported to have died in the Soviet Union in 1975. Sarant, they report, told the F.B.I. that in one of his talks with Julius Rosenberg he "had had the distinct feeling that he was being 'sounded out' [for espionage work]. 'But,' he told the agents with some satisfaction, 'I did not bite.' " When one refers to the chapter notes one finds a reference to a "summary of interviews" with Sarant conducted by the F.B.I. So, one asks, how do Radosh and Milton know that this is indeed what Sarant told the F.B.I. "with satisfaction"? Perhaps Sarant told the agents that he had been "sounded out" or perhaps the agents asked him whether he had ever been sounded out, and he said, "Well, if I was sounded out, I didn't bite." The point is not that Sarant did or didn't say what he is reported to have said, but that, given J. Edgar Hoover's famous obsession with the internal Red menace, it is

* See Fred J. Cook's review of the original 1965 edition (*The Nation*, November 15, 1965).

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naïve—and too convenient—to take F.B.I. files at face value. An agent may accurately record the "unbiased" facts of an interview, but just as often he may write up a file to make a record, to justify further investigation, to impress a superior, to make himself look good, to titillate Hoover or tell him what he wants to hear, to open or close a case. In the absence of independent corroboration, it is a significant lapse to rely on an agent's version of a conversation about or with a security suspect as anything more than a clue to what actually was said.

The Radosh-Milton record on sources is no more reassuring. I do not refer here to the eleven (out of forty-two) "interviewees" who, although acknowledged in the book, claim they were never interviewed. There my sympathy lies with the authors. Definitions of "interview" differ, and the memory of one-time interviewees is notoriously short, especially about projects that extend over a period of years and for which they may have developed a distaste. My suspicion is that Radosh and Milton listed the eleven, none of whom contributed much and each of whom could be expected to be hostile to their conclusions, in an attempt to give their research an air of across-the-boardism that it didn't quite deserve. At most, that's a venial sin. More serious is their misleading treatment of the three former Communist Party officials quoted to the effect that they knew of the Rosenbergs' involvement in espionage long before their arrest. Former editor in chief of *The Daily Worker* John Gates told them, they say, that " 'Julius Rosenberg was very active [in the party] in City College . . . and one fine day he disappeared. We knew . . . it could have been for only one reason, since he certainly hadn't changed his political views.' " And that reason, Gates made clear, was espionage:

> In support of his statement, Gates recalled that when the Rosenbergs left the Party their subscription to the *Daily Worker* was also canceled, not in the regular manner by the subscription department but by a direct order from the Party's Central Committee. Gates's memory was confirmed for us by Junius Scales. . . . And Scales recalled hearing from a colleague at the time the Rosenbergs quit the Party that "the task [of canceling their subscriptions] was handled at the very highest level at the time. It wasn't done routinely."

But wait a minute. Gates was away in the armed services when the Rosenbergs' subscription was supposed to have been canceled. How could his "memory" be "confirmed" on something he wasn't there to know about when it happened?

Junius Scales, the former chairman of the American Communist Party in North Carolina, sent a letter to *The New York Times Book Review* claiming his interview was "outrageously distorted":

> The authors depict me as not being surprised when the Rosenbergs were arrested and charged with espionage because of my knowledge that their subscriptions to *The Daily Worker* had been discontinued by a top Communist leader some time before, thus helping to "clear" them for work with Soviet agents.
>
> In fact, I had no such knowledge. I never heard of the Rosenbergs until they were arrested.

Max Gordon, senior editor of *The Daily Worker*, has completely repudiated Radosh and Milton's handling of his interview.

If the Rosenbergs had been embarking on an espionage career, one would assume they would have done better simply to let their subscriptions lapse, as did thousands of innocent others. But Radosh and Milton seem to have cooked their interview data to make a point not just about the Rosenbergs but about the party. Namely, that the party, the U.S. arm of the international Communist monolith, was actively involved in spy recruiting and when one went "underground" or into "secret work," one became a spy. That certainly was the image of the party held and spread by the F.B.I. and other agencies of the cold war. But Radosh and Milton omit to mention that former party members like Max Gordon inconveniently insist that the party's policy was to steer clear of espionage. And the fact is that at various points in the party's history, loyal members quit or went underground for a variety of reasons. In the early 1940s some members severed formal party relations to work as organizers in heavy industry. Later some fled to Mexico or Europe, fearing that fascism was around the corner. In the early 1950s the party sent scores of members underground and put others "on ice" to avoid any roundup of its members. Indeed, some believe the Rosenberg prosecution was intended to link the party with spying just as the Smith Act prosecutions of the party's leaders were intended to "educate" the

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public to its subversive, conspiratorial nature. Radosh and Milton's assumption that the party was in fact a spy recruitment agency perhaps explains their reading too much into the anecdotes of the three ex-Communist sources, but the effect is to reinforce cold war mythology without documenting its validity, and to undermine our confidence in their interviews with critical sources such as the Greenglasses (who have taken new identities and are not available for additional interviews).

Radosh and Milton's obsession with the C.P. as a force of evil informs their discussion of Rosenberg attorney Emanuel Bloch, whose monumental courtroom blunders they attribute less to overwork, understaffing, lack of funds and inexperience at litigation than to his willingness to serve the party at the expense of his clients. It is also apparent in their erroneous history of the Committee to Secure Justice for the Rosenbergs, which they say got off the ground only in November of 1952 as an attempt on the part of Communists to neutralize the charges of anti-Semitism emanating from the executions of Rudolph Slansky and ten other, mostly Jewish, leaders of the Communist Party in Czechoslovakia. Actually, the committee was formed in the fall of 1951, sparked by William A. Reuben's pioneering articles on the case in *The National Guardian*, from which time its rallies had attracted thousands rather than the handfuls the authors report; and the reason the Party did not get involved earlier probably had nothing to do with orders from the Kremlin, but rather with its ignorance of just what the Rosenbergs had and hadn't done.

Perhaps my sample is unrepresentative. It could be said that misinterpreting a file here, abusing a source there, too often taking the F.B.I. at its word, being biased against the party and intolerant of ambiguity may be unscholarly but do not really affect Radosh and Milton's case. Consider, then, the authors' treatment of the James Weinstein story, which led Radosh to undertake the book in the first place. It's worth looking at in some detail, since it is the only time the authors claim to provide "independent confirmation of the existence of a postwar spy network." And that claim is echoed by others.

Thus the sole example Dershowitz provides of the authors' method of cross-checking:

> An informer who had been in jail with him [Rosenberg] told the FBI a detailed story about an espionage trip Julius Rosenberg took to Ithaca, New York. One of the alleged witnesses to these events was subpoenaed by the Federal Grand Jury but refused to talk. Thirty years after, in the belief that the time had now come to set the record straight, the witness told the authors the facts he refused to reveal in 1951. Through many checks on those facts, the authors confirmed the details of the informer's story and Julius Rosenberg's role.

The informer—the man to whom Julius allegedly first told this vague tale—was one Jerome Tartakow (who, as the Schneirs point out, already had a record of convictions for pimping, armed robbery and interstate auto theft). The "alleged witness" is James Weinstein, a former member of the Communist Party. The "espionage trip" had Julius going to Ithaca to see Al Sarant, who was running a contracting business. "As to precisely what Rosenberg might have gone up to Ithaca to pick up from Sarant," write Radosh and Milton, "Tartakow was vague. All he could recall was that Julius had mentioned to him that Sarant had two contacts at Cornell, one a man named 'Bedda (pronounced phonetically) and the other a man named Morris or Morrison.'"

The "independent confirmation" of "the details" of Tartakow's story presumably consists of Weinstein's recollection that one Maxwell Finestone, his friend from Cornell and later his roommate in New York City, once said he had quit the party to do "secret work." (Weinstein had no idea what his friend was up to, report Radosh and Milton, "and he knew enough not to ask for details."); that Finestone frequently borrowed Weinstein's Buick convertible and once asked him to give a friend named Julius a ride back to New York (Rosenberg sat in the back and didn't say a word until they reached the George Washington Bridge, where he got off); and that some months later, after Rosenberg paid an unannounced visit, Finestone turned "white as a sheet" and exclaimed, "He knows he's not supposed to come here."

Two weeks later, Weinstein saw a picture in the paper of Julius Rosenberg being arrested as an "atom spy," and, Radosh and Milton write, he "became enraged at Finestone, not so much for his clandestine activities as for moving in with him when the heat was on." Weinstein told Radosh and Milton that his old roommate never tried to explain, but merely said, "I thought it would look better.'"

In May 1978, Radosh interviewed Maxwell Finestone and asked him to comment on Weinstein's tale:

> Finestone said that Weinstein was mistaken on several points in his account. On Weinstein's driving Rosenberg back from Ithaca, Finestone said: "I remember Julius being in Ithaca but I don't remember that incident." On Rosenberg appearing at their shared apartment in July 1950 and asking for him, Finestone denied that the incident ever occurred. "I think Jim is fantasizing. I never said to Jim, 'I told him never to come here.' That is pure fantasy." Weinstein, he added, was simply "remembering things I just don't remember."
>
> Finestone did confirm that he dropped out of the Communist Party at Cornell in the middle of his senior year, but claims it was because of schoolwork. He denies that he told Weinstein it was to engage in "secret work."

That's it. That's the "independent confirmation of the existence of a postwar spy network." That's the "detailed story" of the "espionage trip" Julius took to Ithaca. That's the whole thing, at least according to Radosh and Milton (according to Tartakow and according to Weinstein).

But what was confirmed? Tartakow's report—based on what he claimed Julius told him—that it was an "espionage trip" was not confirmed by Weinstein, Finestone, Radosh or anyone else. (When asked about it at the trial, incidentally, Julius said it was a business trip.) What Weinstein confirmed was that Julius rode in the back of his car, period. What Radosh confirmed was that the F.B.I. conducted extensive investigations of "Bedda" (the nuclear physicist Hans Bethe) and "Morris or Morrison" (physicist Philip Morrison, co-holder of the patent on the atomic bomb) and concluded that Tartakow was wrong about both of them.

And what I confirmed when I checked Weinstein's F.B.I. file was that Radosh and Milton are guilty of selective use of the files. They neglect to mention that the same sort of circumstantial evidence they use to cast suspicion on Rosenberg, Finestone, Sarant et al. could be used against Weinstein whom they (and I) consider above suspicion. A fat sheaf of documents shows that because Weinstein sold his car two days after Rosenberg was arrested, the Bureau suspected Weinstein himself of being tied in with the spy ring. By Radosh and Milton's

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logic there is as much reason to list Weinstein as a spy suspect as there is to suggest that Finestone was one. It was his car that carried Julius, he roomed with a man he admits told him he was doing secret work, and an F.B.I. memorandum points out that the amount of money he got for the car was approximately the same as the amount of money a girlfriend of another spy suspect mysteriously attempted to deliver to yet another spy suspect a few days later, in Cleveland! And by F.B.I. logic, since Radosh covered up Weinstein's car deal, there is reason to suspect Radosh, etc., etc., etc. Or, in the words of the old song, "Who's gonna investigate the man who investigates the man who investigates me?"

None of which is to say that Radosh and Milton are necessarily wrong in their surmises, merely that the case is not proven. And what goes for the Weinstein story goes for the other troubling circumstantial evidence Radosh and Milton produce, only more so. For every explanation of guilt there's an equally plausible one for innocence. The "flight" of Morton Sobell and Sarant and the "disappearance" from his Paris apartment of one Joel Barr, another alleged member of the spy ring (who is reportedly living in the Soviet Union), can be explained as the flight of guilty men to avoid the chair or the emigration of someone who lost his job because of politics (Barr), who took off with his neighbor's wife (Sarant) or who, reading of the arrest as an "atom spy" of his friend Rosenberg's brother-in-law, feared implication in a political frame-up (Sobell). Al Sarant's Morton Street apartment, the subject of countless F.B.I. memorandums, may have been passed from one Communist to another because they were all members of the same spy ring and it was used for microfilming or because there was a postwar housing shortage and, like everybody else, Communists kept their low-rent apartments in the family. The fact that Harry Gold first told the F.B.I. that he thought the password was "I come from Ben" and only later came up with "I come from Julius" may indicate a refreshed memory or a planted story. The irreconcilable dates on the Hilton Hotel registration card which the government used to corroborate Harry Gold's story about his visit to Greenglass, may be the result of an F.B.I. forgery (Walter Schneir and Miriam Schneir) or Hilton incompetence (Radosh and Milton). The premature destruction of this card may have been due to typical bureaucratic inertia (Radosh and Milton) or careful F.B.I. calculation (the Schneirs).

I submit that a fair reading of the Radosh/Milton-Schneirs exchange in *The New York Review of Books* is a standoff. My own bias leads me to give the Schneirs a slight edge, especially in their interpretation of F.B.I. materials relating to the independently discredited Elizabeth Bentley and the credibility of Gold, whose imaginary life included a nonexistent wife and children, and Greenglass, whose wife said he had a "tendency to hysteria" (all witnesses for the prosecution at the trial). Also, I think the Schneirs have the better of the argument over whether another member of the alleged spy ring checked out classified materials from Columbia's Pupin Laboratory. On the other hand, they have not persuaded me that Radosh and Milton forged documents or that the available evidence proves that the Rosenbergs were framed, any more than Radosh and Milton have persuaded me that it proves them guilty. In places where the Schneirs and Radosh and Milton cite different files to make their points, the lay reader has no way of knowing who, if anyone, is guilty of selective research, or whether the files themselves are inconsistent. The evidence, then, is inconclusive; it cuts both ways. That's too bad and it's anticlimactic, but it raises the question of why so many reviewers and commentators are rushing to reconvict the Rosenbergs on facts that, to use Norman Mailer's phrase, might turn out to be merely factoids.

In his own review of *The Rosenberg File*, in *In These Times*, James Weinstein writes that "since the overwhelming majority of Americans—if they have any knowledge of the case—already assume that Julius and Ethel were guilty, "the effect of the book . . . will be to discredit the prosecutors of the Rosenbergs and certainly not to heat up the new cold war." That would be nice, but look around. What's stirring up the old cold warriors and the neoconservatives is not that Morris Ernst offered to serve as the Rosenbergs' counsel so that he could fink to the F.B.I., or that President Eisenhower denied clemency because of erroneous information he received from the Director of the F.B.I., or that the evidence against Ethel was inconclusive, against Sobell invisible. Rather, it is that two self-advertised lefties have found the Rosenbergs guilty: there *was* an internal Red menace all along, it isn't so awful to have electrocuted two traitors or even to have abandoned those who defended them, and, besides, it all goes to show that you can't trust the Russians. Perhaps the ghost can be purged from the banquet after all.

Had the Rosenbergs' sentence been five or ten years, today we might not remember their names. Had *The Rosenberg File* come out in the 1960s, when the revisionist historians were in the saddle, its guilty verdict might not have been so quickly celebrated, its bias so easily overlooked. But we live in a period of polarization. Affirming the guilt of the Rosenbergs thirty years after the fact turns out to be a way of buying into the *Zeitgeist*.

It is not Radosh and Milton's fault that there is no room in a polarized culture for a split decision. But to the extent that they are intolerant of ambiguity, they have contributed to that polarization. Even if their facts are correct (and in my view reasonable doubt persists), at best they suggest that the Rosenbergs were bungling conspirators, bush league industrial spies or misguided moral resisters against our nuclear monopoly. Instead, Radosh and Milton undermine their own material by operating from cold war assumptions which permit them to view the Rosenbergs only as instruments of calculated evil.

Paul Berman argues interestingly in

THE LAST ROSE

I can't help but kneel with Morozova,
dance with the daughter of Herod's wife,
fly off on the smoke from Dido's fire
back to the stake to join Joan.
Lord! As you can see I'm tired
from rising, dying, still living on.
Take all I have, but one last time
let me feel the freshness of this bright red rose.

Anna Akhmatova
(Translated by F.D. Reeve)

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the September issue of *Vanity Fair* that the Rosenberg case, brought after the Soviet Union exploded its first atomic bomb, marked the beginning of the nuclear arms race. He goes on, however, to suggest that the old left's inability to mount an effective opposition was due to its fatal Soviet/K.G.B. links, symbolized by the Rosenberg case. That the old left collapsed in the aftermath of the Rosenberg conviction is true. But cold war mythology notwithstanding, whatever the relationship of the old left to the Soviet Union, the idea that its most serious wounds were self-inflicted rather than the result of the Red hunt, is not credible. Whether or not the Rosenberg family was part of a conspiracy, the significance of the Rosenberg case has to do with what we did to them, not what they did to us.

It is a fact of our history, and particularly the history of the cold war years, that the countersubversives did far more damage to our country and our culture than those we choose to label spies and conspirators. One would not understand that from this book. □

FILMS.

KATHA POLLITT

The Big Chill

What did you do in the sixties? Were you young, idealistic, a student at one of our better colleges? Did you take LSD, listen to Smokey Robinson, go on a demonstration? Okay, maybe you didn't actually go on a demonstration yourself, but I'll bet you knew someone who did, right? And I'll bet you never dreamed you'd end up like this—head of P.R. at Dow Chemical and moonlighting on the weekend as a high-priced call girl! Talk about selling out.

Well, Lawrence Kasdan's *The Big Chill* has your number. Here we have seven former classmates from the University of Michigan drawn together for the funeral of their old friend Alex and the subsequent country weekend of jogging, wonderful dinners, resumed love affairs and guilt. Alex, you see, stayed pure: having turned down a prestigious physics fellowship at graduation, he went from one menial job to another and finally killed himself. His friends went straight and flourished like the green bay tree. Michael (Jeff Goldblum) is a reporter for *People* magazine. Sam (Tom Berenger) is a TV star. Harold (Kevin Kline) has a chain of running-shoe stores and with his wife, Sarah (Glenn Close), a doctor, owns the gorgeous mini-Tara in South Carolina where the action takes place. Meg (Mary Kay Place) has left Legal Aid for real estate law, where her clients are "only raping the land." Karen (Jo Beth Williams) is a bored, sleek housewife. The only one who resists the blandishments of haut bourgeois comfort is Nick (William Hurt)—but, then, Nick is a drug dealer and thanks to a stint in Vietnam, impotent besides.

Kasdan provides some sudsy subplots to keep things moving. Will Meg, who has despaired of ever finding a husband, persuade one of the men to lend her some sperm so that she can have a baby ("the only thing I've always known I really wanted")? Will Karen rekindle her old romance with Sam? Will Nick make everyone face harsh truths about themselves? Who will get to sleep with Chloe (Meg Tilly), the spacy gamine with whom Alex was living when he slit his wrists? None of it adds up to much, though, because despite the valiant efforts of the excellent cast, all these people are just cutouts. They have no interesting ideas, unpredictable reactions, dark sides or complexities of any kind. In their periodic breast-beating sessions about Alex's death, the lines of dialogue seem to have been distributed at random.

The movie has a general air of bouncy good feeling, thanks primarily to the Motown and rock on the soundtrack—it's always a treat to hear Marvin Gaye sing "I Heard It Through the Grapevine." There are a couple of good lines and amusing reversals, most of them provided by Jeff Goldblum, who manages to be cynical, gawky, speedy and outlandish all at once, and a few touching moments, mostly from Mary Kay Place, whose scrubbed girl-next-door face gets proportionately more interesting as the perpetually lovely and radiant Glenn Close begins to resemble a pink light bulb. But Kasdan, whose first movie, *Body Heat*, was a derivative pastiche of 1940s films noirs, has for his second made a kind of visual pastiche of New York magazine cover stories: "Career Women: Up Against the Biological Clock," "From Idealism to Suicide," "Yesterday's Radicals, Today's Smart Shoppers."

A little political frankness would have

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helped *The Big Chill* a lot. But Kasdan never dares to spell out his characters' leftishness—the closest he comes is a reference to "that big speech" Sam gave back at U. of M.—much less investigate what those politics might have meant beyond wistful longings for a nicer, warmer world. "We were all going to teach in Harlem," sighs one character; later someone mentions Michael's old girlfriend: "You know, she's *still* teaching fourth grade in Harlem." Eat your heart out, Bobby Seale! Gloria Steinem, too—this is another movie in which men go running and talk about their careers while women sit around the kitchen table and talk about their reproductive systems.

Underneath the we-all-loved-each-other-so-much nostalgia is a phony cynicism. "It's a cold world out there," says Nick with a shiver. Not for white, well-educated middle-class people like him and his friends it isn't. A lawyer doesn't have to choose between defending rapists and defending developers, any more than a woman who wants a family, like Karen, has to marry a boring Babbitt. Nor, conversely, has a businessman, like Harold, necessarily resigned from the moral community. I didn't love John Sayles's *The Return of the Secaucus Seven* (which Kasdan plunders shamelessly, by the way), but at least Sayles understands that for 1960s radicals, there's more to the 1980s than a choice between buying another Mercedes and killing yourself. □

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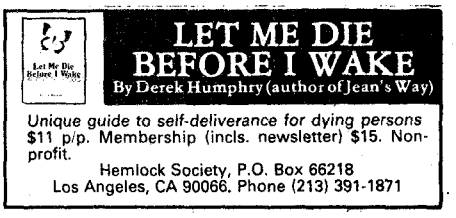
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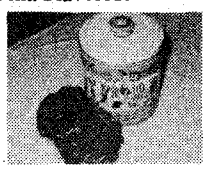

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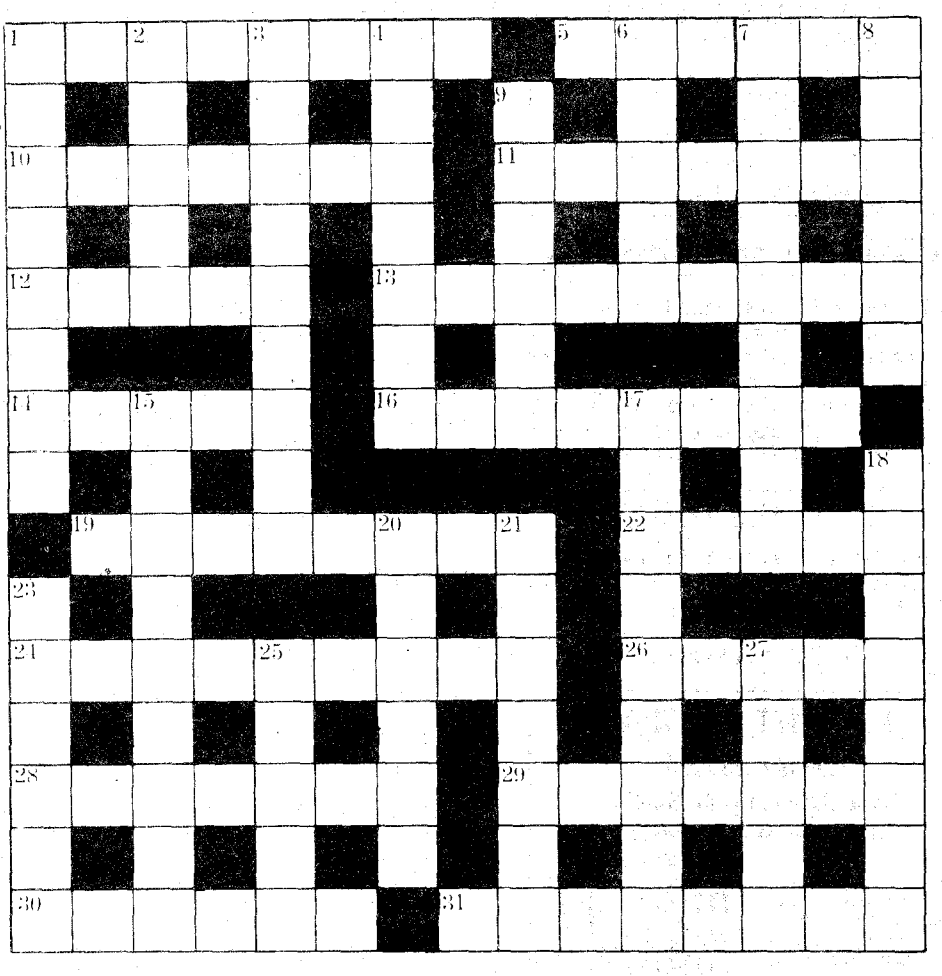

ACROSS

1 and 5 Choose what might make light daily reading, particularly concerning a certain club. (8,6)
10 Not necessarily a verse taken from *Lamentations*. (7)
11 The mountains were, resulting in Horace's mouse—but many a British politician is for a spell in America. (2,5)
12 Might it be considered a substitute *Für Elise*? (5)
13 What many hands are supposed to make—though you might have to push a switch to make it. (5,4)
14 No B or F in the notes of the scale? So, I beg of you! (5)
16 Textile fabrics, etc.—rather dull stuff! (3,5)
19 Not what they mean by the sound of the funeral drum. (If you are first, your heart might not last—one doesn't settle willingly.) (8)
22 The Indian has a place to store corn around it. (5)
24 Lit on a little stream, which might teach the kids how to get out in an emergency. (4,5)
26 It might suggest what's in something like *La Belle France*, to start with! (5)
28 How things are poetized, or just the opposite? (7)
29 The post-conflict type is never at such a disturbance. (7)
30 and 31 A current type of French to show around it, in case it might be given. (6,8)

DOWN

1 and 23 down Not possessed by the traditional professor? (8,2,4)
2 Cooks in a somewhat fancy way. (5)
3 Though not customary with checkers, it may be putty in your hands! (5,4)
4 A quiet layer probably wouldn't have! (7)
6 Assign everything going down to going up. (5)
7 Embellish rhetorically, making the bride more upset. (9)
8 and 18 Work stoppage on a scale known to be what the bookkeeper does—or the juggler. (6,1,7)
9 Pretty sneaky to have a gin sling taken in one at a time! (6)
15 Spiritual, and something that prevents one from having anything around the capital of England. (4,5)
17 It's pretty fancy, but that's what your kisser did! (9)
18 See 8
20 Make sex lie uneasily for such people as Philip Nolan. (6)
21 Sort of late—five to four, to be exact—to get to the city. (3,4)
23 See 1 down
25 Pertaining to the last of the invaders of pre-classic Greece. (5)
27 Born a-new? Lord, yes! (5)

SEE LAST WEEK'S SOLUTION AT LEFT

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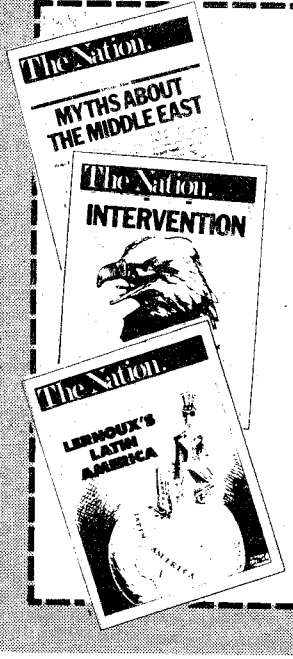

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